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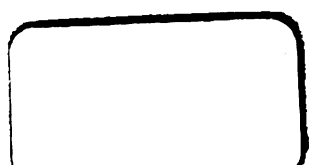
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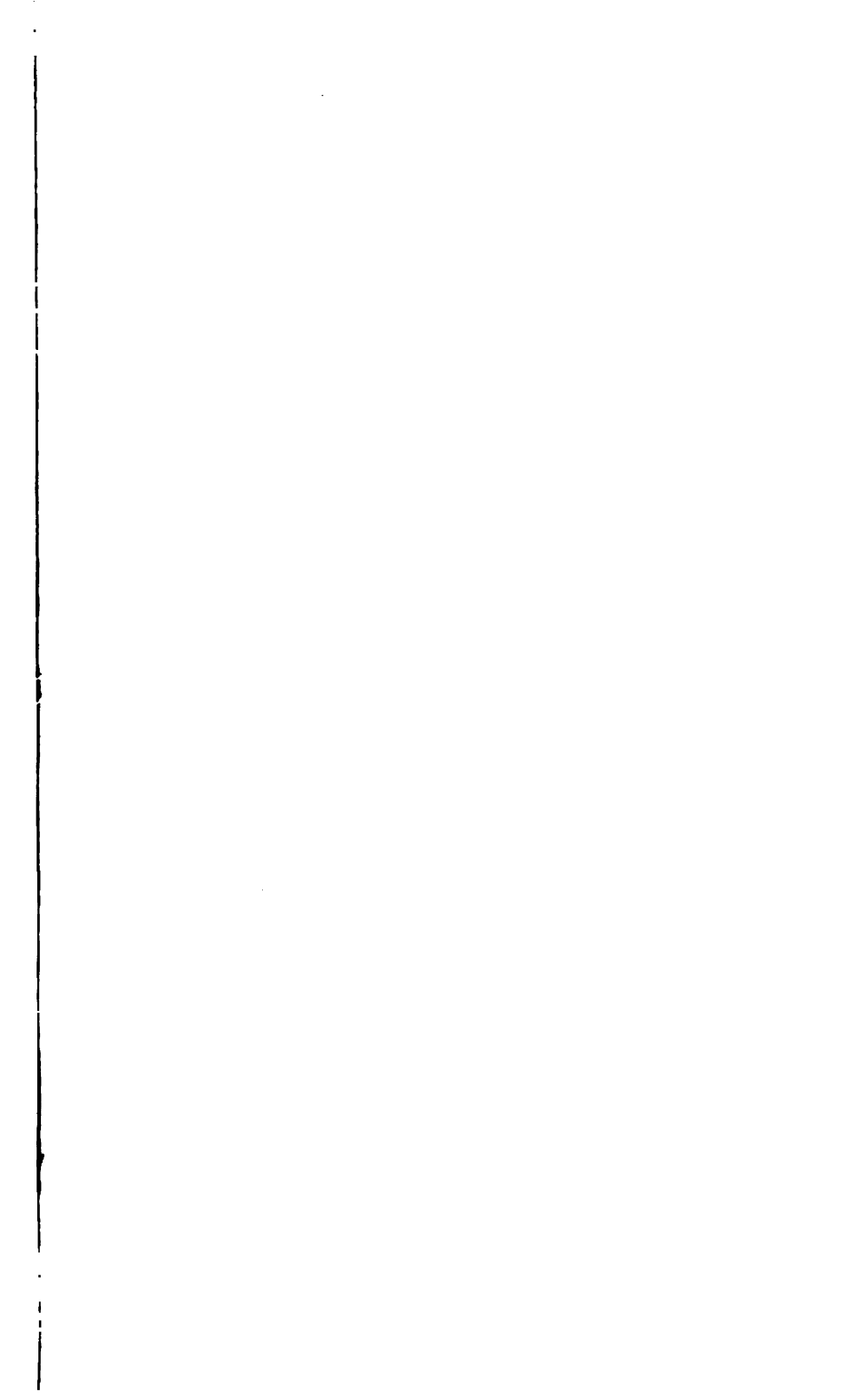
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Q. R. L. C. C. C.

THE
Statutes at Large,

FROM THE
Twelfth Year of Queen ANNE,

TO THE
Fifth Year of King GEORGE I.

BY
DANBY PICKERING, of GRAY'S INN, Esq;

JOHN R. WILSON

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To which is prefixed,
A TABLE containing the TITLES of all the STATUTES
during that Period.

VOL. XIII.

By **DANBY PICKERING**, of Gray's-Inn, Esq;
Reader of the Law Lecture to that Honourable Society.

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TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print,
from the Twelfth Year of Queen ANNE, to the Fifth
Year of King GEORGE I.

12 Annæ. Stat. 1.

Cap. 1. **F**OR granting an aid to her Majesty, to be raised by a land tax in *Great Britain*, for the service of the year 1713.

Cap. 2. For granting to her Majesty, duties upon malt, mum, cyder and perry, for the service of the year 1713, and for making forth duplicates of lottery tickets lost, burnt or destroyed; and for enlarging the time for adjusting claims in several lottery-acts; and to punish the counterfeiting or forging of lottery-orders; and for explaining a late act in relation to stamp-duties on customary estates, which pass by deed and copy.

Cap. 3. To revive and continue the act for taking, examining and stating the publick accounts of the kingdom; and also to continue the act for appointing commissioners to take, examine and determine the debts due to the army, transport-service, and sick and wounded.

Cap. 4. For making inclosures of some part of the common-grounds, in the *West-riding* of the county of *York*, for the endowing poor vicarages, and chapelries, for the better support of their ministers.

Cap. 5. To explain a clause in an act of the last session of parliament, intitled, *An act for the more effectual preventing fraudulent conveyances, in order to multiply votes for electing knights of shires to serve in parliament*, as far as the same relates to the as-

certaining the value of freeholds of 40s. *per annum*.

Cap. 6. For the better regulating the elections of members to serve in parliament for that part of *Great Britain* called *Scotland*.

Cap. 7. For the more effectual preventing and punishing robberies that shall be committed in houses.

Cap. 8. For raising the militia for the year 1713, although the month's pay formerly advanced be not repaid.

Cap. 9. For continuing an act made in the third and fourth years of the reign of her present Majesty, intitled, *An act for encouraging the importation of naval stores from her Majesty's plantations in America*; and for encouraging the importation of naval stores from that part of *Great Britain* called *Scotland*, to that part of *Great Britain* called *England*.

Cap. 10. For continuing the acts therein mentioned, for preventing theft and rapine upon the northern borders of *England*.

Cap. 11. To raise 1,200,000 *l.* for publick uses, by circulating a further sum in Exchequer-bills; and for enabling her Majesty to raise 500,000 *l.* on the revenues appointed for the uses of her civil government, to be applied for or towards payment of such debts and arrears owing to her servants, tradesmen and others, as are therein mentioned.

Cap. 12. For the better regulating the forces to be continued in her Majesty's

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Majesty's service; and for the payment of the said forces, and of their quarters.

Cap. 13. To enable such officers and soldiers as have been in her Majesty's service during the late war, to exercise trades, and for officers to account with their soldiers.

Cap. 14. For explaining the acts for licensing hackney-chairs.

Cap. 15. For making perpetual an act made in the seventh year of the reign of the late King *William*, intituled, *An act to prevent false and double returns of members to serve in parliament.*

Cap. 16. For the better encouragement of the making sail-cloth in Great Britain.

Cap. 17. To vest in the commissioners for building fifty new churches in and about *London* and *Westminster*, and suburbs thereof, as much of the street near the Maypole in the *Strand* in the county of *Middlesex*, as shall be sufficient to build one of the said churches upon; and for restoring to the principal and scholars of *King's-Hall*, and college of *Brazen-Nose*, in the university of *Oxen*, their right of presentation to the churches and chapels in *Stepney* parish.

Cap. 18. For making perpetual the act made in the thirteenth and fourteenth years of the reign of the late King *Charles II.* intituled, *An act for the better relief of the poor of this kingdom*: and that persons bound apprentices to, or being hired servants with persons coming with certificates, shall not gain settlements by such services or apprenticeships: and for making perpetual the act made in the sixth year of her present Majesty's reign, intituled, *An act for the importation of cochineal from any ports in Spain, during the present war, and six months longer*: and for reviving a clause in an act made in the ninth and tenth years

of the reign of the late King *William*, intituled, *An act for settling the trade to Africa*, for allowing foreign copper bars imported, to be exported.

Private Acts.

Anno 12 Annae, Stat. 1.

1. An act for repairing the highway or road from the *Stones-End* in the parish of *St. Leonard Shoreditch* in the county of *Middlesex*, to the furthestmost part of the northern road in the parish of *Endfield* in the same county, next to the parish of *Cheshunt* in the county of *Hertford*.
2. An act for confirming several grants in fee-farm made by *Henry* earl of *Thomond*, by virtue or since the passing a former act of parliament; and for giving some ease and relief to the purchasers under or since the said former act.
3. An act for confirming articles, and vesting the manor of *Kirby-Underwood* in the county of *Lincoln*, and other manors, lands and hereditaments thereby agreed to be sold, in trustees, for discharging the debts of *Sir John Brownlow*, bart. deceased, and his daughters portions, and other purposes in the said articles mentioned.
4. An act for divesting the crown of the remainder in fee-simple of and in the manor and advowson of *Stourton* in the county of *Wilses*, and several lands, tenements and hereditaments, to the same manor belonging, expectant on certain estates-tail, and for vesting the same in certain other persons therein named, to the intent the same may be barred by proper methods in law, for the purposes therein mentioned.
5. An act to enable trustees to sell some out-parts of the estate of *Sir Bourchier Wrey*, Bart. in the county of *Devon*, for the purposes therein mentioned.

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6. An act to enable *William Harvey*, the elder esq; and *William Harvey*, esq; his son, to settle a jointure, and grant a lease, and for vesting the inheritance, after a term of five hundred years, of lands in *Suffolk*, in trustees to be sold for raising portions for his daughters.
7. An act for the exchange of the parsonage-house at *Charlton in Kent*, and close thereto adjoining, in lieu of another house and lands there.
8. An act for making the chapelry of *Stockton* in the county of *Durham*, a distinct parish.
9. An act for naturalizing *Lewis Vanden Enden*.
10. An act for better enabling *James* earl of *Salisbury*, and his trustees, to make sale of certain manors, lands and hereditaments in the counties of *Northampton* and *Dorset*, and a fee-farm rent, for the purposes in the said act mentioned.
11. An act for the sale of the reversion and inheritance of the manor of *Morley* in the county of *York*, together with the term of 500 years therein, decreed to be sold for payment of debts, and also for exchanging a fee-farm rent of the coheirs of *William* late Marquess of *Halsifax*, issuing out of part of *Leiffeld* forest in *Rutlandshire*, for a fee-farm rent of *Daniel* earl of *Nottingham*, issuing out of *Hartingsfordbury* in *Hertfordshire*, and for settling the same to such uses as the said fee-farm rent in *Rutlandshire* was settled.
12. An act for raising 5000*l.* portion out of several lands in *Middlesex* and *Warwickshire*, charged therewith (being the estate of the Right honourable *Gilbert* earl of *Coventry*) and for paying the same to the lady *Anne Coventry*, his daughter, at her marriage, though the same should be before her age of eighteen years.
13. An act for vesting divers lands and hereditaments in the counties of *Warwick* and *Bedford*, (late the estate of *Sir Roger Burgoyne*, Bart. deceased) in trustees, for divers purposes therein mentioned.
14. An act for discharging the manors and lordships of *Bexwell* and *Tinworth* in the county of *Norfolk* from the several uses, trusts and estates thereof limited, in and by the marriage-settlement of *Sir John Holland*, Bart. with the lady *Rebecca* his wife; and for settling divers other manors, messuages, lands, tenements and hereditaments of a greater value, and which lie more convenient in the same county, in lieu thereof.
15. An act for enabling *Henry Lee* the younger, alias *Lee Warner*, to make a jointure upon his marriage.
16. An act for uniting and consolidating the rectories, advowsons and parishes of *Melton St. Mary's* and *Melton All Saints*, in the diocese of *Norwich* in the county of *Norfolk*.
17. An act to amend several defects in an act of parliament, made in the tenth year of the reign of his late majesty King *William III.* intituled, *An act to enable Thomas Byde, Esq; an infant with the consent of his guardians and next relations, to make a contract for the buying in his mother's jointure; and to sell a small estate in Great Amwell in the county of Hertford; and likewise for the securing and raising a portion for Barbara Byde, spinster, sister of the said Thomas Byde, and for other purposes in the said act mentioned, and to enable the said Thomas Byde to raise monies, and to make leases for the purposes in this present act mentioned.*
18. An act to enable *William Booth*, gent. to sell certain lands and hereditaments in the county of *Chester*, for payment of the debts of his brother, with whom and for which he stands bound; and for applying the surplus (if any) of the money

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money raised for such purpose, towards payment of his own proper debts.

Jury, Peter Ribot, Peter Laffite, and others,

Anno 12 Annæ, Stat. 2.

19. An act to enable the right honourable *Charles* lord *Weston* and earl of *Arran* in the kingdom of *Ireland*, to take the oath of office, as master of her Majesty's ordnance in the kingdom of *Ireland*, before the barons of her Majesty's court of Exchequer at *Westminster*, and to qualify himself for the legal enjoyment of the said office.

20. An act for enabling Sir *Charles Gresham*, bart. to raise the sum of five thousand pounds, and interest, and maintenance, for *Elizabeth* the daughter of his brother Sir *Edward Gresham*, bart. deceased; and to make provision for his younger children.

21. An act to enable Sir *Edward Leighton*, bart. to charge his estate with 4000 *l.* (preferable to 6000 *l.* already charged thereupon by his marriage-settlement) for the purposes therein mentioned.

22. An act for sale of several lands and tenements of *John Constable*, gent. in the parish of *Ockley* in the county of *Surrey*, for payment of his debts, and for settling other lands in the same county, of a better value, to the same uses, in lieu thereof.

23. An act to enable *John Harrington*, esq; and *Dorothy* his wife, and *Charles Harrington*, gent. son and heir apparent of the said *John Harrington*, to sell the reversion of several messuages and tenements in *Liverpoole*, in the county of *Lancaster*, being the inheritance of the said *Dorothy*, for payment of their debts, and settling an equivalent upon the said *Dorothy*.

24. An act to enable *Symes Parry* to change his name of *Parry* to *Symes*, according to the will of *John Symes*, esq; deceased.

25. An act to naturalize *Simon De-*

Cap. 1. **F**OR granting an aid to her Majesty, to be raised by a land-tax in *Great Britain*, for the service of the year 1714.

Cap. 2. For allowing a drawback upon the exportation of salt to be made use of for the curing of fish taken at *North-seas*, or at *Ireland*.

Cap. 3. For charging and continuing the duties upon malt, mum, cyder and perry, for the service of the year 1714, and for the encouragement of the distilling brandy from malted corn and cyder; and for making forth duplicates of Exchequer-bills, and lottery-tickets, lost, burnt, or destroyed; and to enable the governor and company of the bank of *England*, and others, to lend money upon *South-Sea* stock.

Cap. 4. For the better regulating the forces to be continued in her Majesty's service, and for the payment of the said forces, and of their quarters.

Cap. 5. For taking away the new additional duty of 30 *l. per cent. ad valorem*, imposed upon all books and prints imported into *Great Britain*, by an act made in the tenth year of the reign of her present majesty *Queen Anne*.

Cap. 6. For taking away mortuaries within the dioceses of *Bangor*, *Llandaff*, *St. David's* and *St. Asaph*, and giving a recompence therefore to the bishops of the said respective dioceses; and for confirming several letters patents granted by her Majesty for perpetually annexing a prebend of *Gloucester* to the mastership of *Pembroke* college in *Oxford*; and a prebend of *Rochester* to the provostship of *Oriel* college in *Oxford*; and a prebend of *Norwich* to the

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- the mastership of *Catbarine-Hall* in *Cambridge*.
- Cap. 7. To prevent the growth of schism, and for the further security of the churches of *England* and *Ireland*, as by law established.
- Cap. 8. For encouraging the tobacco-trade.
- Cap. 9. For laying additional duties on soap and paper, and upon certain linens, silks, calicoes and stuffs, and upon starch and exported coals, and upon stamp'd vellum, parchment and paper, and for raising 1,400,000*l.* by way of a lottery for her Majesty's supply; and for allowances on exporting made wares of leather, sheep-skins, and lamb-skins; and for distribution of 4000*l.* due to the officers and seamen for gun-money; and to adjust the property of tickets in former lotteries; and touching certain shares of stock in the capital of the *South-Sea* company; and for appropriating the monies granted to her Majesty.
- Cap. 10. For raising the militia for the year 1714, although the month's pay formerly advanced be not repaid; and for rectifying a mistake in an act passed in this present session of parliament, intituled, *An act for the regulating the forces to be continued in her Majesty's service, and for payment of the said forces and their quarters*.
- Cap. 11. To prevent the listing her Majesty's subjects to serve as soldiers, without her Majesty's licence.
- Cap. 12. For the better maintenance of the curates within the church of *England*, and for preventing any ecclesiastical persons from buying the next avoidance of any church-preferment.
- Cap. 13. To discharge and acquit the commissioners of equivalent for the sum of three hundred eighty one thousand five hundred and nine pounds fifteen shillings ten pence halfpenny, by them duly issued out of the sum of three hundred ninety eight thousand eighty five pounds ten shillings, which they received.
- Cap. 14. For rendering more effectual an act made in the third year of the reign of King *James I.* intituled, *An act to prevent and avoid dangers which may grow by popish recusants*; and also one other act made in the first year of the reign of their late majesties King *William* and Queen *Mary*, intituled, *An act to vest in the two universities the presentations of benefices belonging to papists*; and for vesting in the lords of justiciary power to inflict the same punishments against jesuits, priests, and other trafficking papists, which the privy council of *Scotland* was empowered to do by an act passed in the parliament of *Scotland*, intituled, *An act for preventing the growth of Popery*.
- Cap. 15. For providing a publick reward for such person or persons as shall discover the longitude at sea.
- Cap. 16. To reduce the rate of interest, without any prejudice to parliamentary securities.
- Cap. 17. For the speedy and effectual preserving the navigation of the river of *Thames*, by stopping the breach in the levels of *Havering* and *Dagenham* in the county of *Essex*; and for ascertaining the coal-measure.
- Cap. 18. For the preserving all ships and goods thereof, which shall happen to be forced on shore, or stranded upon the coasts of this kingdom, or any other of her Majesty's dominions.
- Cap. 19. To explain a clause in an act of parliament of the tenth year of her Majesty's reign, for laying several duties upon all soap and paper made in *Great Britain*, nor imported into the same; and upon

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chequered and striped linens imported; and upon certain silks, callicoos, linens and stufas, printed, painted or stained; and upon several kinds of stamp vellum, parchment and paper; and upon certain printed pamphlets and advertisements, for raising the sum of 1,800,000*l.* by way of a lottery, and for other purposes in the said act mentioned; so far as the said act relates to lawns, canvas, buckrams, barras, and *Silesia* neckcloths.

Cap. 20. To explain and make more effectual an act passed in the tenth year of her Majesty's reign, for preventing abuses in making linen cloth, and regulating the lengths and breadths, and equal sorting of yarn in each piece made in *Scotland*, and for whitening the same.

Cap. 21. To explain part of an act made in the seventh year of her Majesty's reign, (for enlarging the capital stock of the bank of *England*, and for raising a further supply to her Majesty, for the service of the year 1709) so far as the same relates to unwrought iccle, imported into this kingdom.

Cap. 22. To continue an act of the sixth year of her Majesty's reign, intituled, *An act to enable her Majesty to make leases and copies of offices, lands, and hereditaments, parcel of her datchy of Cornwall, or annexed to the same.*

Cap. 23. For reducing the laws relating to rogues, vagabonds, sturdy beggars and vagrants, into one act of parliament; and for the more effectual punishing such rogues vagabonds, and sturdy beggars and vagrants, sending them whither they ought to be sent.

Private Acts.

Anno 12 Anna, Stat. 2.

1. **A**N act for the building a new church or chapel of ease in

Great Yarmouth in the county of *Norfolk*, by a duty or imposition on all coals, culm and cinders, to be landed there.

2. An act for the repairing the highways between *Shepard's Shord* and *Horsley Upright Gate*, leading down *Bagdon-hill* in the county of *Wicks*, and other ruinous parts of highways thereunto adjacent.

3. An act for repairing the highway or road from the city of *Worcester*, to the borough of *Droitwich* in the county of *Worcester*.

4. An act for repairing the highways between the *Bear Inn* in *Reading*, in the county of *Berks*, and a certain place called *Burns-Field* in the said county.

5. An act for sale of part of the estate of *Joseph Olliver*, gent. lying in the county of *Devon*, and city of *Exon*, for payment of his debts, and for making provision for maintenance and education of his daughter.

6. An act for making more effectual an act passed in the ninth year of her present Majesty's reign, intituled, *An act for repairing the highways between Dunstable and Hockley* in the county of *Bedford*.

7. An act for making the river *Nine* or *Nen*, running from *Northampton* to *Peterborough*, navigable.

8. An act for vesting the tithes of the rectory of *Chesterfield* in the county of *Derby*, in trustees, to be sold for the payment of the debts of *George Smith*, esq; deceased, and for making provision for his daughter.

9. An act for the sale of the manor and barton of *Widdicombe*, in the county of *Devon*, comprised in the marriage-settlement of *Walter Hale*, gent. and *Philippo* his wife; and for raising and securing the sum of 1500*l.* for the benefit of the children of the said *Walter* and *Philippo*.

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10. An act for upholding and repairing the bridges and highways in the county of *Edinburgh*.
11. An act for sale of the estate of *John Tregagle*, esq; deceased, lying in the counties of *Devon* and *Cornwall*, for payment of debts, and making provision for his children.
12. An act to make partition of the manor of *Cottingham*, alias *Cottingham-Sarum*, in the county of *York*, between *Richard Wynne*, esq; and *Sarah* his wife, and *John Barrington*, esq.
13. An act for naturalizing *Christian William Kirchoff*.
14. An act for repairing and amending the highways between the town or village of *Tittenfor*, and the most northern part of *Talk on the Hill* in *But-Lane* in the county of *Stafford*.
15. An act for making more effectual an act passed in the 7th and 8th years of the reign of his late majesty *King William III.* intituled, *An act for erecting of hospitals and workhouses in the city of Bristol, and for the better employing and maintaining the poor thereof*.
16. An act for the more effectual amending the highways leading from *Roydon* in the county of *Hertsford*, to *Wansford-Bridge* in the county of *Huntingdon*.
17. An act for parting and enclosing two great open common fields, and a large open greenward common down, lying and being in the manor and parish of *Thermorton*, alias *Parmington*, in the county of *Gloucester*; and for other purposes therein mentioned.
18. An act for the rendering valid and effectual two several indentures of demise and mortgage, executed by *Scrope*, late lord viscount *How*, in the kingdom of *Ireland*, deceased, by virtue of a former act of parliament, made for enabling him thereunto, notwithstanding some defects therein.
19. An act for the sale of some out-parts of the estate of *Simon Scroope*, esq; in the counties of *York* and *Nottingham*, for payment of his debts, and for other purposes therein mentioned.
20. An act for the sale of certain messuages, lands, tenements and hereditaments, contained in the marriage-settlement of *Francis Cherry*, gent. deceased, and *Elizabeth* his wife, and for the converting the same into ready money for the benefit of his wife and children; and for the sale of divers other manors, messuages, lands, tenements and hereditaments, for the payment of the debts of the said *Francis Cherry*, and of the debts of *William Cherry*, esq; deceased, and other purposes in the said act mentioned.
21. An act for naturalizing *Samuel Du Pres*.
22. An act to enable the right honourable *Rachel* lady *Kingston*, an infant, to make a lease of part of her jointure, notwithstanding her infancy.
23. An act to enable the right honourable *Richard* earl of *Bellamont*, to sell certain lands in *Ireland*, for raising money to purchase the jointure of *Lusy Anne* countess dowager of *Bellamont*, and for paying her daughter's portion.
24. An act for confirming a settlement made on the marriage of the now lord viscount *Massereen*; and for better securing the jointure of his lady, and of *Rachael* viscountess dowager *Massereen*; and for vesting in trustees certain lands and tithes in *Ireland*, to be sold for the purposes therein mentioned.
25. An act for vesting in *Frederick Hamilton*, esq; certain lands and Hereditaments, in the kingdom of *Ireland*, purchased by him of the executors of *Joseph Ivis*, esq; deceased, and for other purposes therein mentioned.

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26. An act to enable Sir *Thomas Pendergast*, bart. an infant, to sell part of his estate lying in the county of *Waterford* in the kingdom of *Ireland*, for the payment of his father's debts, and other purposes therein mentioned.
 27. An act to empower the lord high treasurer of *Great Britain*, or commissioners of the treasury for the time being, to compound with *Thomas Edwin* of *London*, merchant, for such debts as he stands bound for, as surety for *Thomas Coleman*, tobacco-merchant.
 28. An act to empower the lord high treasurer of *Great Britain*, or the commissioners of the treasury for the time being, to compound with *Robert Wise* and his sureties, for such debts as he owes to her Majesty, or stands bound for as surety for customs of tobacco.
 29. An act for dissolving the marriage of *Francis Loggin* with *Sarah Gardner*, and to enable him to marry again.
 30. An act to enable *Ambrose Brown*, esq; and others, to make sale of the manor of *Bayham* in the counties of *Sussex* and *Kent*, and to settle other lands and tenements in the county of *Surrey*, to the same uses as the said manor of *Bayham* now stands settled.
 31. An act for vesting part of the estate of *William Brown*, an infant, lying in the parishes of *Bridgewater*, *Northpetherton* and *Weston-Zoyland* in the county of *Somerset*, in trustees, to be sold for payment of a mortgage, and other debts and legacies.
 32. An act for sale of part of the estate late of *Brereton Bouchier*, esq; deceased, for payment of debts, and other purposes therein mentioned.
 33. An act for making effectual an agreement made by the commissioners for building fifty new churches with *John Walker*, esq; for ground in the *Strand* to build one of the new churches upon.
 34. An act for naturalizing *James Eymer* and others.
 35. An act for naturalizing *Daniel Burr*.
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- Anno 1 Georgii I. Stat. 1.*
- Cap. 1. For the better support of his Majesty's household and of the honour and dignity of the crown of *Great Britain*.
 - Cap. 2. For rectifying mistakes in the names of the commissioners for the land-tax for the year 1714. and for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery for the publick service in the said year.
 - Cap. 3. To enable persons now residing in *Great Britain*, to take the oaths, and do all other acts in *Great Britain*, requisite to qualify themselves to continue their respective places, offices and employments in *Ireland*.
- Anno 1 Georgii I. Stat. 2.*
- Cap. 1. For granting an aid to his Majesty, to be raised by a land-tax in *Great Britain*, for the service of the year 1715.
 - Cap. 2. For charging and continuing the duties on malt, mum, cyder and perry, for the service of the year 1715. and for making forth duplicates of Exchequer-bills, and lottery-tickets, lost, burnt or destroyed; and for enlarging the time for adjusting claims in several lotteries, and for making forth new orders in lieu of certain lottery-orders obliterated or defective; and for continuing certain duties on hops, until the first day of *August* 1715.
 - Cap. 3. For the better regulating the forces to be continued in his Majesty's

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- jeſty's ſervice, and for the payment of the ſaid forces, and of their quarters.
- Cap. 4. To explain the act made in the twelfth year of the reign of King *William* the Third, intituled, *An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject*.
- Cap. 5. For preventing tumults and riotous aſſemblies, and for the more ſpeedy and effectual puniſhing rioters.
- Cap. 6. For making perpetual an act of the ſeventh and eighth years of the reign of his late majeſty King *William* the third, intituled, *An act that the ſolemn affirmation and declaration of the people called Quakers, ſhall be accepted inſtead of an oath in the uſual form*; and for explaining and enforcing the ſaid act in relation to the payment of tithes and church rates; and for appointing the form of an affirmation to be taken by the ſaid people called *Quakers*, inſtead of the oath of abjuration.
- Cap. 7. For continuing the imprisonment of *Robert Blackburn*, and others, for the horrid conſpiracy to aſſaſſinate the perſon of his late ſacred majeſty King *William* the Third.
- Cap. 8. To impower his Majeſty to ſecure and detain ſuch perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his perſon and government.
- Cap. 9. For the better preventing mutiny and deſertion, by enforcing and making more effectual an act of this preſent parliament, intituled, *An act for the better regulating the forces to be continued in his Majeſty's ſervice, and for the payment of the ſaid forces and their quarters*.
- Cap. 10. For making more effectual her late Majeſty's gracious intentions for augmenting the maintenance of the poor clergy.
- Cap. 11. To reſtrain all waggoners, carriers, and others, from drawing any carriage with more than five horſes in length.
- Cap. 12. For enlarging the fund of the governor and company of the bank of *England*, relating to Exchequer-bills; and for ſettling an additional revenue of one hundred and twenty thouſand pounds *per annum* upon his Majeſty during his life, for the ſervice of the civil government; and for eſta bliſhing a certain fund of fifty four thouſand fix hundred pounds *per annum*, in order to raiſe a ſum not exceeding nine hundred and ten thouſand pounds for the ſervice of the publick, by ſale of annuities, after the rate of fix pounds *per centum per annum*, redeemable by parliament; and for ſatiſfying an arrear for work and materials at *Blenheim*, incurred whiſt that building was carried on at the expence of her late majeſty Queen *Anne* of bleſſed memory; and for other purpoſes therein mentioned.
- Cap. 13. For the further ſecurity of his Majeſty's perſon and government, and the ſucceſſion of the crown in the heirs of the late princeſs *Sophia*, being proteſtants; and for extinguishing the hopes of the pretended prince of *Wales*, and his open and ſecret abettors.
- Cap. 14. For making the militia of that part of *Great Britain* called *England*, more uſeful; and for obliging an annual account to be made of trophy-money.
- Cap. 15. To make an act of the tenth year of her late Majeſty, intituled, *An act for regulating, improving and encouraging of the woollen manuſacture of mixt or medly broad cloth, and for better payment of the poor employed therein*, more effectual for the benefit of trade in general; and alſo to render more effectual an act of the ſeventh year of her ſaid Majeſty's

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jetty's reign, intituled, *An act for the better ascertaining the lengths and breadths of woollen cloth made in the county of York.*

Cap. 16. For the attainder of *Henry viscount Bolingbroke* of high treason, unless he shall render himself to justice by a day certain therein mentioned.

Cap. 17. For the attainder of *James duke of Ormond* of high treason, unless he shall render himself to justice by a day certain therein mentioned.

Cap. 18. For the better preventing fresh fish taken by foreigners being imported into this kingdom; and for the preservation of the fry of fish; and for the giving leave to import lobsters and turbets in foreign bottoms; and for the better preservation of salmon within several rivers in that part of this kingdom called *England*.

Cap. 19. For raising nine hundred and ten thousand pounds for publick services, by sale of annuities, after the rate of five pounds *per centum per annum*, redeemable by parliament; and to authorize a treaty concerning private rights claimed by the proprietors of the sugar-houses in *Scotland*.

Cap. 20. For encouraging all superiors, vassals, landlords and tenants in *Scotland*, who do and shall continue in their duty and loyalty to his majesty King *George*; and for discouraging all superiors, vassals, landlords and tenants there, who have been or shall be guilty of rebellious practices against his said Majesty; and for making void all fraudulent entails, tailzies and conveyances made there, for barring or excluding the effect of forfeitures that may have been, or shall be incurred there on any such account; as also for calling any suspected person or persons, whose estates or principal residence are in

Scotland, to appear at *Edinburgh*, or where it shall be judged expedient, to find bail for their good behaviour; and for the better disarming disaffected persons in *Scotland*.

Cap. 21. For enlarging the capital stock and yearly fund of the *South-Sea* company, and for supplying thereby eight hundred twenty two thousand thirty two pounds four shillings and eight pence, to publick uses; and for raising one hundred and sixty nine thousand pounds for the like uses, by sale of annuities upon divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty.

Cap. 22. For enabling his Majesty to settle a revenue for supporting the dignity of her royal highness the princess, in case she shall survive his royal highness the prince of *Wales*.

Cap. 23. For making provision for the ministers of the fifty new churches, which are to be built in and about the cities of *London* and *Westminster*, and suburbs thereof; and for rebuilding and finishing the parish church of *Saint Mary Woolnoth* in the city of *London*.

Cap. 24. For appointing the commissioners to take, examine and state the debts due to the army.

Cap. 25. To prevent disturbances by seamen, and others; and to preserve the stores belonging to his Majesty's navy royal; and also for explaining an act for the better preventing the imbezilment of his Majesty's stores of war; and preventing cheats, frauds and abuses in paying seamen's wages; and for reviving and continuing an act for the more effectual suppression of piracy.

Cap. 26. For continuing several laws therein mentioned, relating to coals, hemp and flax, *Irish* and *Scottish* linen, and the assize of bread; and for giving power to adjourn the

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the quarter sessions for the county of *Anglesea*, for the purposes therein mentioned.

Cap. 27. For taking and stating the debts due and growing due to *Scotland* by way of equivalent in the terms of the union; and for relief of the creditors of the publick in *Scotland*, and the commissioners of the equivalent.

Cap. 28. For repealing an act, intituled, *An act for repealing part of an act passed in the parliament of Scotland, intituled, Act for discharging the yale-vacances.*

Cap. 29. For allowing a time for two hundred and thirteen families of protestant *Palatines*, now settled in *Ireland*, to take the oaths, in order to intitle them to all the benefits intended them by the act of the seventh year of her late Majesty's reign, for naturalizing foreign protestants.

Cap. 30. For continuing an act of this present session of parliament, intituled, *An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.*

Cap. 31. For granting an aid to his Majesty by a land-tax in *Great Britain*, for the service of the year 1716.

Cap. 32. To attain *Johncarl of Marr, William Murray, esq; commonly called marquis of Tullibardine, James earl of Linlithgow, and James Drummond, esq; commonly called lord Drummond, of high treason.*

Cap. 33. For the more easy and speedy trial of such persons as have levied or shall levy war against his Majesty,

Cap. 34. For preventing mutiny and desertion, and for the better payment of the army and their quarters;

Cap. 35. To appoint a commissioner for taking, examining and stating the debts due to the army, in the

room of *Thomas Smith, esq; deceased*; and for continuing the former act until the tenth day of *March* 1716.

Cap. 36. For charging and continuing the duties on malt, munn, eyder and perry, for the service of the year 1716. and for compelling several receivers to finish and clear their accounts; and for making duplicates of Exchequer-bills, lottery-tickets and orders, lost, burnt or destroyed; and for enlarging the time for adjusting claims to certain benefit tickets, and for allowing the charge of executing the lottery act, for the service of the year 1710; and for recovering monies of several land-taxes, resting in the hands of collectors or constables at *St. Albans*; and for preventing frauds in the duties upon soap; and for limiting a time for persons who have certain annuities for life or lives, to demand the payments thereupon at the Exchequer; and for preventing frauds in the duties relating to printed and painted paper, callicoes and other things therein mentioned.

Cap. 37. To enable his Majesty to grant the regalities and lands now remaining in the crown in *North Wales*, and *South Wales*, and county of *Chester*, to his royal highness the prince of *Wales* in such manner and form as the principality of *Wales* and earldom of *Chester* have formerly been granted to the princes of *Wales*; and also to enable his said royal highness to make leases of lands, parcel of his royal highness's duchy of *Cornwall*, or annexed to the same.

Cap. 38. For enlarging the time of continuance of parliaments, appointed by an act made in the sixth year of the reign of King *William* and Queen *Mary*, intituled, *An act for the frequent meeting and calling of parliaments.*

Cap. 39. To indemnify such persons, who

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who have acted in defence of his Majesty's person and government, and for the preservation of the public peace of this kingdom, in and about the time of the late unnatural rebellion, from vexatious suits and prosecutions.

Cap. 40. For the free importation of cochineal, during the time therein limited.

Cap. 41. For giving liberty to persons who have served their apprenticeships to any part of the woollen manufacture in *Colchester*, to work at their said trades, and at the making bays within the said town.

Cap. 42. For the attainder of *George earl of Marischall*, *William earl of Seaforth*, *James earl of Southesk*, *James earl of Panmuir*, and others, of high treason, unless they shall render themselves to justice by a day certain therein mentioned.

Cap. 43. To continue duties for encouraging the coinage of money, and to charge the duties on senna as a medicinal drug; and for the appropriating several supplies granted to his Majesty.

Cap. 44. For the continuing the duty of two pennies *Scots*, or one sixth of a penny sterling, on ever pint of ale and beer that shall be vended or sold within the city of *Glasgow* and privileges thereof, for the benefit of the said city.

Cap. 45. For holding the assize for the county of *Cornwall*, at a convenient place within the said county.

Cap. 46. To prevent the mischiefs by manufacturing leaves or other things to resemble tobacco, and the abuses in making and mixing of snuff.

Cap. 47. For the more effectual and exemplary punishment of such persons as shall seduce soldiers to desert, or who, being papists, shall enlist themselves in his Majesty's

service in *Great Britain* or *Ireland*, or in the islands of *Jersey* or *Guernsey*.

Cap. 48. To encourage the planting of timber-trees, fruit-trees and other trees, for ornament, shelter or profit, and for the better preservation of the same; and for the preventing the burning of woods.

Cap. 49. To revive and continue an act of the eighth and ninth years of the reign of his late majesty King *William*, for repair of the piers of *Bridlington*, alias *Burlington*, in the east-riding of the county of *York*.

Cap. 50. For appointing commissioners to enquire of the estates of certain traitors, and of popish recusants, and of estates given to superstitious uses, in order to raise money out of them severally for the use of the publick.

Cap. 51. For repealing so much of the act of the twelfth and thirteenth years of the reign of King *William the Third*, intituled, *An act for the farther limitation of the crown, and better securing the rights and liberties of the subjects*, as enacts, That no person, who should come to the possession of the crown, shall go out of the dominions of *England*, *Scotland* or *Ireland*, without consent of parliament.

Cap. 52. For making the laws for repairing the highways more effectual.

Cap. 53. For the attainder of *Thomas Forster junior*, esq; and *William Mackintosh*, esq; (commonly called brigadier *Mackintosh*) of high treason.

Cap. 54. For the more effectual securing the peace of the highlands in *Scotland*.

Cap. 55. To oblige papists to register their names and real estates.

Cap. 56. To disable any person from being chose a member of, or from sitting and voting in the house of com-

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commons, who has any pension for any number of years from the crown.

Cap. 57. For better regulating hackney-coaches, carts, drays, carrs and waggons, within the cities of *London* and *Westminster*, and the weekly bills of mortality; and for preventing mischiefs occasioned by the drivers riding upon such carts, drays, carrs and waggons.

Private Acts.

Anno 1 Georgii.

1. An act to empower the barons of the court of Exchequer in *Ireland*, to grant a commission to some persons in *England*, to administer to *Henry Temple*, esq; and *Luke King*, gentleman, the usual oaths for the due execution of their office of remembrancer of the court of Exchequer in *Ireland*.
2. An act to empower the barons of the court of Exchequer in *Ireland*, to grant a commission to some of the barons of the court of Exchequer in *England*, to administer to *Thomas Hopkins*, esq; the usual oaths for the due execution of the office or offices of searcher, packer and gauger in the port of *Dublin*.
3. An act for settling the precedence of *Robert* marquiss of *Lindsey*, great chamberlain of *England*, when created a duke of *Great Britain*, and of such as shall succeed to the said honour.
4. An act for appointing persons to take care of the person and estate of *John Digby*, esq; eldest son and heir apparent of *William* lord *Digby* in the kingdom of *Ireland*.
5. An act for vesting in the warden and college of *All-souls* in *Oxford*, and their successors, certain houses and ground belonging to the parish of *St. Mary* in *Oxford*.
6. An act to empower the barons of the court of Exchequer in *Ireland*, to grant a commission to some persons in *Great Britain*, to administer to *Henry Temple*, esq; the usual oaths for the due execution of the office of chief remembrancer of the court of Exchequer in *Ireland*.
7. An act for sale of part of the estate late of *William Betts*, gentleman, deceased, for discharging incumbrances thereupon; and for making good a settlement by him made of other part of his estate.
8. An act to enable trustees to grant leases of part of the lands devised by the last will and testament of *Thomas Trenchard*, esq; deceased.
9. An act for relieving *William Pater-son*, esq; out of the equivalent-money, for what is due to him.
10. An act to naturalize *Florian Goe-bell*, merchant.
11. An act for naturalizing *Herman Meyer*.
12. An act for repairing the highways through the several parishes of *St. Michael*, *St. Albans*, *St. Peter*, *Shenley Ridge* and *South-Mims*, in the counties of *Hertford* and *Middlesex*.
13. An act for confirming the sale of the reversion of the manor of *Dar-rington*, by *George* earl of *Cardigan*, to *Theophilus Sbelton*, esq; and his heirs.
14. An act for vesting in trustees part of the estate of *Nicholas Fry*, esq; deceased, for payment of his debts.
15. An act to enable the right honourable *Henry* earl of *Roche-ster*, and *William* lord viscount *Mount-joy* in the kingdom of *Ireland*, to take the oaths of office for their respective offices in the said kingdom of *Ireland*, and to qualify themselves in *England* for the legal enjoyment of their said offices.
16. An act for explaining an act made in the ninth year of the reign of King *William* the Third, intituled, *An act for vesting part of the estate of Thomas Panton, esq; in trustees,*

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- trustees, to be sold for payment of debts, and securing a jointure to Mary his now wife; and for other purposes therein mentioned.*
17. An act for vesting certain manors and lands in the counties of *Devon* and *Kent*, the estate of Sir *William Courtenay*, baronet, in trustees, and their heirs, to be sold, and with the money arising thereby to purchase other lands in the county of *Devon*, contiguous to the seat of his family, to be settled to the same uses.
 18. An act to enable Sir *Richard Wynche*, baronet, and *Humphrey Wynche*, esq; only son and heir apparent of the said Sir *Richard Wynche*, to settle a jointure upon such woman as the said *Humphrey Wynche* shall marry.
 19. An act to enable *George Heneage*, esq; to sell the rectory of *North-Willingham*, in the county of *Lincoln*, and some lands there, and for settling rent-charges of greater value in lieu thereof, and for other purposes therein mentioned.
 20. An act to enable *Richard Lee*, an infant, with the consent of trustees, to grant leases of some part of his estate, notwithstanding his minority.
 21. An act for building and endowing a church upon the site of the castle of *Liverpoole*, held by a lease from the dutchy of *Lancaster*; and for the explaining a former act for the building another church there.
 22. An act for vesting the estate late of *John Turner*, esq; deceased, in trustees, to be sold for payment of his debts.
 23. An act for confirming a sale already made to *Edmund Dummer*, gentleman, of some part, and for vesting other part of the estate of *John Bromfield*, esq; in the county of *Southampton*, comprized in the articles made upon his marriage with *Anne* his wife, in trustees, to be sold for the payment of his debts; and for settling the remaining part thereof, as near as may be, to the intent of the said articles; and for making thereby, and by other means in the act mentioned, some provision for the said *John Bromfield* and *Anne* his wife and their issue.
 24. An act to make the river *Kennet* navigable from *Reading* to *Newbury* in the county of *Berks*.
 25. An act for repairing and amending the highways between *Tyburn* and *Uxbridge* in the county of *Middlesex*.
 26. An act to enable *Richard* lord viscount *Rosse* of the kingdom of *Ireland*, notwithstanding his nonage, to settle a jointure, on *Mary* viscountess *Rosse* his wife, and make a settlement on his issue male, with provision for younger children, and for other purposes therein mentioned.
 27. An act for the relief of *Anne Milner*, *Thomas Colmore*, *William Hunt*, *William Parrott*, and others, as to customs of goods, burnt or destroyed by the late fire in *Thames-Street, London*.
 28. An act to enable Sir *Hungerford Hoskyns*, baronet, to raise monies to discharge his brothers and sisters portions, and to settle a jointure on a wife.
 29. An act to enable *Robert Cope*, esq; to settle an additional jointure out of his estate on *Elizabeth* his now wife; and also to raise portions and maintenances for his daughters and younger children by her; and to enable those in remainder to do the same.
 30. An act for sale of part of the manor of *Low-Laiton*, in the county of *Essex*, and other lands there; and for laying out the money arising thereby in the purchase of other lands in the county of *Lincoln*, to be settled to the same uses as the said

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- said part of the manor of *Low-Laiton* is settled.
31. An act to naturalize *Frederica* countess of *Holderness*, *Peter Gravier*, *Théodore Bouchier* and *Francis Massari*.
 32. An act to naturalize *Robert de Ulteger*, *George Christian Luders*, and others.
 33. An act for naturalizing *Henry Cornelisen*.
 34. An act for vesting the honour and estate of *John* duke of *Athol* in *James Murray*, esq; commonly called lord *James Murray*, after the death of the said duke.
 35. An act for the naturalization of *Frederick Guliker*.
 36. An act for naturalizing *Gerrard Ræters*.
 37. An act for continuing and making more effectual an act passed in the twelfth year of her late Majesty's reign, intituled, *An act for repairing the highway or road from the Stones-End in the parish of St. Leonard Shoreditch, in the county of Middlesex, to the farthestmost part of the northern road in the parish of Endfield, in the same county, next to the parish of Cheshunt in the county of Hertford.*
 38. An act to enable his royal highness *George* prince of *Wales*, to qualify himself in *Great Britain* for the legal enjoyment of the office of chancellor of the university of *Dublin* in the kingdom of *Ireland*.
 39. An act to enable *Charles* earl of *Sunderland*, and *Henry* earl of *Rocheſter*, to take in *Great Britain* the oath of office as vice-treasurer and receiver general, and paymaster general of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify themselves for the enjoyment of the said offices.
 40. An act to enable *Risbard* earl of *Burlington* and *Cork*, to take in *England* the oath of the office of high treasurer of *Ireland*, and to qualify himself here in *England* for the legal enjoyment of the said office.
 41. An act for vesting several manors, messuages, lands, and hereditaments late of *Charles* earl of *Dorset* and *Middlesex*, whereof *James* late duke of *Ormond*, at the time of his attainder, was seized, as surviving trustee named in the will of the said earl, in new trustees, and their heirs, upon the same trusts.
 42. An act for explaining and making more effectual an act passed in the twelfth year of the reign of her late majesty Queen *Anne*, intituled, *An act for making the chapelry of Stockton in the county of Durham, a distinct parish.*
 43. An act for naturalizing *Casper White*.
 44. An act for the more effectual reversing and making void the attainder of *Charles* earl of *Macclesfield* deceased.
 45. An act to discharge Sir *Alexander Rigby*, knight, from his imprisonment, and vest his estate and effects in trustees for the benefit of his creditors.
 46. An act for vesting certain lands and tenements of *Peter Sunderland*, esq; in trustees, to be sold for payment of debts charged thereon before the making of his marriage-settlement, and by virtue thereof.
 47. An act to enable *Thomas Proffor* of *Rock*, in the county of *Northumberland*, esq; to raise the sum of four thousand pounds out of his estate, for payment of his debts, and making provision for his younger children.
 48. An act for naturalizing *Erengard Melusine*, baroness of *Schulenburg*.

Anno 3 Georgii I.

Cap. 1. To enable his Majesty effectually to prohibit or restrain commerce with *Sweden*.

Cap. 2.

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- Cap. 2. For punishing mutiny and desertion, and for the better payment of the army and their quarters.
- Cap. 3. For granting an aid to his Majesty by a land tax in *Great Britain*, for the service of the year 1717.
- Cap. 4. For continuing the duties on malt, mum, cyder and perry, for the service of the year 1717. and to authorize allowances to be made to certain receivers, and to obviate a doubt concerning goods imported from the islands of *Jersey*, *Guernsey*, *Sark* and *Alderney*; and to ascertain the duties upon sheep-skins and lamb-skins; and to prevent frauds in the duties upon starch; and for making forth duplicates of Exchequer-bills, lottery-tickets and orders, lost, burnt or destroyed; and for enlarging the time for adjusting claims in several lotteries; and for preventing frauds in the duties on low-wines and spirits carried coastwise.
- Cap. 5. For continuing the duty of two pennies *Scots*, or one sixth part of a penny sterling, on every pint of ale and beer that shall be vend- ed or sold within the city of *Edin- burgh*, and privileges thereof, for the benefit of the said city, and for discontinuing the payment of the dues commonly called the petty- port customs at *Edinburgh*, during the continuance of this act.
- Cap. 6. For laying a duty of two pennies *Scots*, or one sixth part of a penny sterling, upon every pint of ale or beer that shall be vend- ed or sold within the town of *Dum- fries*, and privileges thereof, for paying the debts of the said town, and for building a church, and making a harbour there.
- Cap. 7. For redeeming the yearly fund of the *South-Sea* company (being after the rate of six pounds *per centum per annum*) and settling on the said company a yearly fund after the rate of five pounds *per centum per annum*, redeemable by parliament; and to raise for an annuity or annuities at five pounds *per centum per annum*, any sum, not exceeding two millions, to be em- ployed in lessening the national debts and incumbrances, and for making the said new yearly fund and annuities to be hereafter re- deemable in the time and manner thereby prescribed:
- Cap. 8. For redeeming several funds of the governor and company of the bank of *England*, pursuant to former privi-leges of redemption; and for securing to them several new funds and allowances redeem- able by parliament; and for oblig- ing them to advance further sums, not exceeding two millions five hundred thousand pounds, at five pounds *per centum*, as shall be found necessary to be employed in less- ening the national debts and incum- brances; and for continuing cer- tain provisions made for the ex- pences of his Majesty's civil go- vernment; and for payment of an- nuities formerly purchased at the rate of five pounds *per centum*; and for other purposes in this act men- tioned.
- Cap. 9. For redeeming the duties and revenues which were settled to pay off principal and interest on the or- ders made forth on four lottery-acts passed in the ninth and tenth years of her late Majesty's reign; and for redeeming certain annuities payable on orders out of the here- ditary excise, according to a for- mer act in that behalf; and for e- stablishing a general yearly fund, not only for the future payment of annuities at several rates, to be payable and transferrable at the bank of *England*, and redeemable by parliament, but also to raise monies for such proprietors of the said

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said orders as shall choose to be paid their principal and arrears of interest in ready money; and for making good such other deficiencies and payments as in this act are mentioned; and for taking off the duties on linseed imported, and *British* linen exported.

Cap. 10. For the better collecting and levying the revenue of the tenths of the clergy.

Cap. 11. To explain and amend several laws therein mentioned for the better preservation of the game.

Cap. 12. To empower commissioners in commissions of bankrupts, issued since the four and twentieth day of *June* 1706, and on or before the fix and twentieth day of *June* 1716, to make certificates for bankrupts, and the lord chancellor, lord keeper, commissioners of the great seal, or two judges, to confirm the same, notwithstanding the acts of the fourth and fifth, and the fifth of *Queen Anne*, are expired; and for continuing a clause in a former act for adjusting accounts between bankrupts and their debtors.

Cap. 13. For the better regulating of pilots for conducting of ships and vessels from *Dover*, *Deal*, and the isle of *Thanet*, up the rivers of *Thames* and *Medway*.

Cap. 14. To continue an act of the first year of his Majesty's reign, intituled, *An act for taking and stating the debts due and growing due to Scotland by way of equivalent, in the terms of the union; and for relief of the creditors of the publick, and the commissioners of the equivalent.*

Cap. 15. For the better regulating the office of sheriffs, and for ascertaining their fees, and the fees for suing out their patents, and passing their accounts.

Cap. 16. For the better enabling sheriffs to sue out their patents, and pass their accounts.

Cap. 17. To enable his Majesty to

appoint commissioners to take, examine, state and determine the debts due to the army.

Cap. 18. For explaining an act passed the last session of parliament, intituled, *An act to oblige papists to register their names and real estates*, and for enlarging the time for such registering, and for securing purchases made by protestants.

Cap. 19. For the King's most gracious, general, and free pardon.

Cap. 20. To enlarge the time for making claims before the commissioners appointed to inquire of the forfeited estates.

Cap. 21. For continuing the liberty of exporting *Irish* linen cloth to the *British* plantations in *America* duty-free; and for the more effectual discovery of and prosecuting such as shall unlawfully export wool and woollen manufactures from *Ireland*; and for relief of *John Fletcher*, in respect of the duty by him paid for a quantity of salt lost in the exportation for *Ireland*.

Private Acts.

Anno 3 Georgii. I.

1. An act for enlarging the time granted by an act passed in the eighth year of the reign of her late majesty *Queen Anne*, intituled, *An act for making a convenient dock or basin at Liverpool, for security of all ships trading to and from the said port of Liverpool.*

2. An act for naturalizing *Isaac Kuyck van Mierop*.

3. An act for the preservation and improvement of the river *Wear*, and port and haven of *Sunderland*, in the county of *Durham*.

4. An act for repairing the highways from several places therein mentioned, leading towards *Highgate Gate-house* and *Hampstead*, in the county of *Middlesex*; and for electing trustees for keeping up a sufficient

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- cient number for the repairing the highways upon the roads from *Highgate Gate-house* to *Barnet Black-house*; and also of the highways between *Kilburne Bridge* and *Sparrows Herne*, in the county of *Hertford*.
5. An act to enable the parishioners of the parish of *St. Mary Rotherhitb* in the county of *Surrey* (by certain funeral rates therein mentioned) to finish the said parish church.
 6. An act for settling the estates of the most noble *John* duke of *Rutland*, and *John Manners*, esq; commonly called marquiss of *Granby*, son and heir apparent of the said duke, on the marriage of the said marquiss of *Granby* with the honourable *Bridget Sutton*, only child of the right honourable *Robert* lord *Lexington*, and *Bridget Sutton* therein mentioned, in trustees, to be sold for raising money for the marriage portion of the said *Bridget Sutton*.
 7. An act for confirming a partition lately made of the estate of Sir *John Brownlowe*, bart. deceased, in the counties of *Lincoln*, *York*, *Middlesex*, and *Hertford*, remaining unsold, and articles of agreement relating thereunto; and also the several conveyances made of the divided parts; and for making effectual a fine and recovery intended to be levied and suffered of a fee-farm rent of twenty pounds *per annum*, part of the estate in the said county of *Hertford*.
 8. An act to enable *John Barrington*, alias *Shute*, esq; and his issue male, to change their surname to *Barrington*, according to the settlement of *Francis Barrington*, esq; deceased.
 9. An act to empower the barons of the Exchequer in *Ireland* to grant a commission to some of the barons of the Exchequer in *England*, to administer to *Thomas Hopkins*, esq; the oaths for the due execution of the office or offices of searcher, packer and gauger in the port of the city of *Dublin*, granted to him for his life.
 10. An act to enable *Susanna Catherine Nugent*, to sue for, recover, and hold the portion of fourteen hundred pounds, provided for her out of her father's estate, notwithstanding her coverture and the outlawry of her husband *Hyacinthus Nugent*, esq;
 11. An act to enable *Francis Fulford*, esq; and his first and other sons successively, to put in execution the power of granting leases given by the last will and testament of *Francis Fulford*, esq; deceased.
 12. An act for vesting an estate late of Sir *Thomas Heath*, kn^t. deceased, in trustees, to be sold for payment of his debts and other uses.
 13. An act for rectifying defects in a settlement made by *Robert Davts*, esq; deceased, of certain estates in the counties of *Denbigh* and *Flint*, and effectually securing the payment of his debts, and making provision for the younger children of *Robert Davis* his son, and settling the said estates subject thereto.
 14. An act for repairing the highways from that part of *Counters Bridge* which lies in the parish of *Kensington* in the county of *Middlesex*, to the powder mills in the road to *Stains*, and to *Cranford Bridge* in the said county in the road to *Colnebrooke*.
 15. An act for explaining and making more effectual the acts of the fifth and eighth years of her late majesty Queen *Anne*, for amending the road between *Hockley* in the county of *Bedford* and *Stony-Stratford* in the county of *Bucks*.
 16. An act for sale of part of the duke of *Montague's* estate, for the intents and purposes therein mentioned.
 17. An act to enable *Richard* earl of *Scar-*

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- Starborough* to take in *Great Britain* the oath of office as vice-treasurer and receiver general and paymaster general of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify himself for the enjoyment of the said office.
18. An act to enable his Majesty to make provision for the respective wives and children of *James* late earl of *Southesk*, *James* late lord *Drummond*, the late *Sir Hugh Paterson* of *Bannockburn*, and *James Sterling* late of *Keir*.
19. An act to enable his Majesty to make such provision for, and settlement upon, *Margaret* the wife of *James* late earl of *Penmuir*, as she would have been intitled to in case her said husband was naturally dead.
20. An act to enable his Majesty to make provision for *Margaret* lady *Nairn* and her children, out of her paternal estate, forfeited during the life of *William Murray*, late lord *Nairn*, her husband.
21. An act for raising and paying the lady *Amelia Butler*'s portion out of lands in *Ireland*.
22. An act for confirming a partition made between *Robert Dastwood*, esq; and *Chobnley Turner*, esq; of certain manors, lands and hereditaments in the county of *Oxon*.
23. An act for confirming an agreement made between *John Wind*, clerk, vicar of *Thirkleby* in the county of *York*, and *Sir Thomas Frankland*, bart. for exchange of the vicarage-house, and certain lands therein mentioned.
24. An act for sale of the estate of *Thomas Middleton*, esq; deceased, for the more speedy raising of maintenance-money, and portions for his daughters, and for the other purposes in the bill mentioned.
25. An act to enable *Edward Rolt*, esq; to exchange a certain parcel of wood-lands in the county of *Hertford* with *John Boteler*, esq; for other wood-lands of equal value in the said county, and for settling the same respectively as therein mentioned.
26. An act for vesting an estate at *Corsham* in *Wiltshire* in the surviving trustee, and executor of the last will of *Henry Frederic Thynne*, esq; deceased, and his heirs, to make sale thereof for the execution of the trusts created by his will.
27. An act to enable *Roger Stafford*, esq; and his issue male, to change their surname to *Wollocombe*, according to the will of *Roger Wollocombe*, esq; deceased.
28. An act for sale of the estate of *John Stone* the elder, and *John Stone* the younger, in the county of *Sussex*, for discharging the incumbrances thereon, in respect of the infancy of one of the coheirs of *John Stone* the younger, and for securing the residue of the money as therein is mentioned.
29. An act to enable *William Newman*, esq; to sell part of the estate included in his marriage-settlement for payment of debts, and to settle another estate in lieu thereof.
30. An act for vesting in trustees the estate of *Thomas Richmond*, esq; deceased, in the county of *Essex*, to be sold for payment of his debts, legacies and funeral expences, according to the will of the said *Thomas Richmond*.
31. An act declaring the uses of two several fines levied by *John Cusse*, esq; and *Margaret* his wife, to *Joseph Kelley*, esq; deceased, and *Maurice Cusse*, esq; and the heirs of the said *Joseph Kelley*, of certain lands and tithes in the counties of *Down* and *Cavan* in the kingdom of *Ireland*.
32. An act to enable *Patrick Wemys*, esq; to sell certain houses in *Dublin* for payment of debts, and for the settling lands in the county of

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Kilkenny, and elsewhere, to the same uses to which the houses to be sold were settled.

33. An act to naturalize *John Jacob Heldt, Theodore Van Rheden*, and others.

Anno 4 Georgii I.

Cap. 1. For granting an aid to his Majesty, by a land-tax to be raised in *Great Britain*, for the service of the year 1718.

Cap. 2. To enable his Majesty to be governor of the *South-Sea* company.

Cap. 3. For continuing the duties on malt, mum, cyder and perry, for the service of the year 1718; and for making forth duplicates of *Exchequer-bills*, and lottery-tickets and orders, lost, burnt or destroyed; and for appropriating the supplies granted in this session of parliament.

Cap. 4. For punishing mutiny and desertion, and for the better payment of the army, and their quarters.

Cap. 5. For finishing the tower of the parish church of *St. Michael Cornhill, London*, out of the duties arising pursuant to the act of the ninth year of the late Queen, for building fifty new churches in and about the cities of *London* and *Westminster*, and the suburbs thereof.

Cap. 6. For relief of the wholesale traders and dealers in *English* bone-lace, by obviating several doubts in the several acts for licensing hawkers and pedlars.

Cap. 7. For making more effectual an act made in the eighth year of the reign of the late Queen *Anne*, intituled, *An act for employing the manufacturers by encouraging the consumption of raw silk and Mohair yarn*.

Cap. 8. For vesting the forfeited estates in *Great Britain* and *Ireland*, in trustees, to be sold for the use of

the public; and for giving relief to lawful creditors, by determining the claims; and for the more effectual bringing into the respective *Exchequers* the rents and profits of the said estates, till sold.

Cap. 9. To appoint commissioners to take, examine, state and determine the debts due to the army, and to examine and state the demands of several foreign princes and states for subsidies during the late war.

Cap. 10. For making the dividend of subscribed lottery annuities, and other annuities established by several acts of parliament, payable half-yearly at the bank of *England*.

Cap. 11. For the further preventing robbery, burglary and other felonies, and for the more effectual transportation of felons, and unlawful exporters of wool; and for declaring the law upon some points relating to pirates.

Cap. 12. For enforcing and making perpetual an act of the twelfth year of her late Majesty, intituled, *An act for the preserving of all such ships and goods thereof, which shall happen to be forced on shore, or stranded upon the coasts of this kingdom, or any other of her Majesty's dominions*; and for inflicting the punishment of death on such as shall wilfully burn or destroy ships.

Cap. 13. For enlarging the term of years granted by the acts of the eleventh and twelfth years of King *William the Third*, and second and third years of Queen *Anne*, for the repair of *Dover* harbour.

Cap. 14. To empower the commissioners appointed to put in execution the act of the ninth and tenth years of her late Majesty's reign, for building fifty new churches in and about the cities of *London* and *Westminster*, and suburbs thereof, to direct the parish church of *St. Giles in the Fields* in the

A TABLE of the STATUTES.

the county of *Middlesex*, to be rebuilt, instead of one of the said fifty new churches.

Private Acts.

Anno 4. Georgii. I.

1. An act to enable *George Bubb*, esq; and his issue male, to change their surname to the surname of *Dodgington*.
2. An act for naturalizing *Abraham Botsford*.
3. An act for the better explaining several acts therein mentioned, for erecting of hospitals and work-houses within the city of *Bristol*, for the employing and maintaining the poor thereof, and for making the said acts more effectual.
4. An act for amending the roads from the city of *London*, to the town of *East-Grinstead* in the county of *Suffex*, and to the towns of *Sutton* and *Kingston* in the county of *Surrey*.
5. An act for repairing the highways leading from the stone-end of *Kent-street* in the parish of *St. George's Southwark* in the county of *Surrey*, to the lime-kilns in *East-Greenwich*, near *Black-Heath*, and to *Lewisbam* church, being the *Tunbridge* road, in the county of *Kent*.
6. An act for repairing the highways from *Maidenhead-Bridge* to *Sunninglane* end (next to *Twisford*) in the road to *Reading*, and from the said bridge to *Henley Bridge* in the county of *Berks*.
7. An act for repairing the highways from *Crown Corner* in the town of *Reading* (leading by and through the several parishes of *Shinfield* and *Heckfield* in the several counties of *Berks*, *Wills* and *Southampton*) to *Basingstake* in the said county of *Southampton*.
8. An act for settling the estates of the most noble *William* duke of *Devonshire*, and *William Cavendish*, esq; commonly called marquiss of *Hartington*, son and heir apparent of the said duke, on the marriage of the said marquiss of *Hartington*, with *Catherine Hoskins*, spinster, only child of *John Hoskins*, esq; deceased.
9. An act to enable *Henry* duke of *Kent*, and *Anthony Grey*, esq; commonly called earl of *Harrold*, to make jointures for the wife or wives of the said earl of *Harrold*, and for other purposes therein mentioned.
10. An act for vesting the manor of *Esber Waterville*, and other lands therein mentioned, in the most noble *Thomas Holles*, duke of *Newcastle*, and his heirs, in consideration of rent-charges to be issuing out of the same and other lands, in lieu thereof, to the use of the corporation of *Kingston upon Thames* in the county of *Surrey*, in trust for the poor of the said town.
11. An act to enable *Richard* earl of *Burlington* to make leases of a piece of ground behind *Burlington-house*.
12. An act for confirming the respective sales of a fee-farm rent, and divers lands, tenements and hereditaments in the county of *Bedford*, lately made by the right honourable *John* lord *Carteret*, and *William Hilderston*, esq; to each other, and to discharge the same from divers estates, terms and trusts, to which they are respectively liable by several settlements made thereof.
13. An act for vesting the great tithes and glebe-lands belonging to the rectory of *Saxby* in the county of *Leicester*, in the right honourable *Bennet* lord *Harborough*, and his heirs, in lieu of other lands and an annuity, to be settled on the rector of the said church, and his successors for ever, and for other purposes therein mentioned.

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14. An act for sale of part of the estate of *John* late earl of *Kildare*, deceased, towards payment of his debts, and for other the purposes therein mentioned.
15. An act for establishing the disposition of the personal estate of *Sir Benjamin Bathurst*, deceased, and the settlements on his three sons under his will, and exchanging ground-rents in *Wapping* in *Middlesex* for another rent of like value, and other purposes therein mentioned.
16. An act for the better enabling the honourable *James Bertie*, esq; to raise portions for his younger children.
17. An act for making more effectual certain articles of agreement between *Sir George Downing*, baronet, and dame *Mary*, eldest daughter of *Sir William Forester*, knt. and her trustees.
18. An act for confirming an agreement between dame *Elizabeth Napier*, *Sir Theophilus Napier*, baronet, *Archibald Napier* and *Edward Napier*, the relief and sons of *Sir John Napier*, deceased, touching his real and personal estate, for vesting his lands and hereditaments in the counties of *Bedford* and *Hertford* in trustees, for the better performance of the said agreement.
19. An act for vesting divers lands and tenements in the county of *Suffex*, part of the estate of *Charles Eversfield*, esq; in trustees, for a present provision for his son, and for the payment of the debts of the said *Charles Eversfield*.
20. An act for sale of part of the estate late of *Joseph Thurston*, esq; deceased, lying in the counties of *Suffolk* and *Essex*, for payment of his debts, and making provision for his infant children.
21. An act for the exonerating and discharging the manors, lands and hereditaments of *Francis Cornwall*, esq; and likewise the said *Francis Cornwall*, of and from certain articles of agreement made before the marriage of the said *Francis Cornwall*.
22. An act to enable *Ralph Shippardson*, esq; to make sale of his estate in *Studley Roger* in the county of *York*, freed from the uses and trusts in the said *Ralph Shippardson's* marriage-settlement, and to settle his estate at *East Murton* in the county of *Durham* to the same uses.
23. An act to enable the lords commissioners of the treasury, or lord high treasurer for the time being, to compound with *Mr. John Offley* for the debt he stands engaged for to the crown for the duties on tobacco.
24. An act to naturalize *Peter Rose*, and others.
25. An act to naturalize *Martin Ludolph*, *Ulrick Jansen*, *John Ludolph Spellerbergh*, *John Speiker* and *Lawrence Gundeloah*.

The END of the TABLE.

STATUTES at Large, &c.

Anno Regni ANNÆ Reginae Magnæ Britanniae, Franciæ, & Hiberniæ, duodecimo.

AT the parliament begun and holden at Westminster the twenty-fifth day of November, Anno Dom. 1710. in the ninth year of the reign of our sovereign lady Anne, by the grace of God, of Great Britain, France, and Ireland, Queen, defender of the faith, &c. being the first session of this present parliament; and from thence continued by several prorogations to the seventh day of December, one thousand seven hundred and eleven; being the second session of this present parliament; and from thence continued by several prorogations to the ninth day of April, one thousand seven hundred and thirteen (a); being the third session of this present parliament.

(a) In the record is added, and continued by several adjournments.

journeys till the sixteenth day of July in the twelfth year of her Majesty's reign.

CAP. I.

An act for granting an aid to her Majesty; to be raised by a land-tax in Great-Britain, for the service of the year one thousand seven hundred and thirteen, E X P. 25. in the pound.

CAP. II.

An act for granting to her Majesty duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and thirteen; and for making forth duplicates of lottery tickets, lost, burnt, or destroyed; and for enlarging the time for adjusting claims in several lottery acts; and to punish the counterfeiting or forging of lottery orders; and for explaining a late act in relation to stamp duties on customary estates, which pass by deed and copy.

Continued annually, and particularly by 13 Geo. 1. c. 7. and 3 Geo. 2. c. 21.

MOST gracious sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain assembled in parliament, towards raising such supplies as are and

Duties on
malt, mum,
cyder and
perry, from
23 June 1713,
to 24 June
1714, viz.

Malt made in
England 6d.
per bushel.

Malt made in
Scotland 6d.
per bushel.

Mum 10s. per
barrel.

Cyder and
perry 4s. per
hogshead.

All persons
selling cyder
or perry deem-
ed retailers.

may be necessary to defray your Majesty's publick expences, do humbly present your Majesty with the gift of the several rates, duties, and impositions herein after mentioned; and do beseech your Majesty that it may be enacted: and be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, paid, and satisfied, unto and for the use of her Majesty, her heirs and successors, for and upon all malt, mum, cyder and perry, the several and respective rates, duties and impositions herein after mentioned; (that is to say) for every bushel of malt which at any time or times, from and after the twenty-third day of *June*, one thousand seven hundred and thirteen, and before the twenty-fourth day of *June*, which shall be in the year of our Lord one thousand seven hundred and fourteen, shall be made of barley, or any other corn or grain, within that part of *Great Britain* called *England, Wales*, and the town of *Berwick upon Tweed*, by any person or persons whatsoever, (whether the same be or be not for sale) the sum of six pence, and so proportionably for a greater or lesser quantity, to be paid by the maker or makers thereof respectively: for every bushel of malt which at any time or times, from and after the twenty-third day of *June*, one thousand seven hundred and thirteen, and before the twenty-fourth day of *June* one thousand seven hundred and fourteen, shall be made of barley, or any other corn or grain, in that part of *Great Britain* called *Scotland*, by any person or persons whatsoever, (whether the same be or be not for sale) the sum of six pence, and so proportionably for a greater or lesser quantity, to be also paid by the maker or makers thereof respectively: for every barrel of mum, which at any time or times, from and after the said twenty-third day of *June* one thousand seven hundred and thirteen, and before the said twenty-fourth day of *June* one thousand seven hundred and fourteen, shall be made or imported within the said kingdom of *Great Britain*, the sum of ten shillings, over and above all present duties payable for the same, and so proportionably for a greater or lesser quantity, to be paid by the maker or importer thereof respectively: and for all cyder and perry, which at any time or times, from and after the said twenty-third day of *June* one thousand seven hundred and thirteen, and before the said twenty-fourth day of *June* one thousand seven hundred and fourteen, shall be made for sale within the said kingdom of *Great Britain*, (over and above all other duties payable for cyder and perry made and sold by retail) the sum of four shillings for every hogshead, and so in proportion for a greater or lesser quantity, to be paid by the first buyer or retailer thereof.

II. And for the avoiding of disputes in charging the duties upon cyder and perry, be it enacted and declared, That every person who shall buy any cyder or perry, or any fruit to make into cyder or perry, and shall sell any of the cyder or perry so bought

bought or made, by the hoghead, or any greater or lesser measure, shall, during the continuance of this act, and no longer, be deemed and taken to be a retailer of cyder and perry, and shall be chargeable with the duties of all such cyder and perry.

III. And for the better ascertaining, charging, levying and collecting of all the said several and respective duties hereby granted, be it further enacted by the authority aforesaid, That **Duties to be** all and every the said duties and impositions by this act granted **under the ma-** or imposed, as well upon malt, as upon mum, cyder and perry, **agement of** shall, from time to time, during the continuance of this act, be **the commis-** within the receipt, management and government of the several **sioners of ex-** chief commissioners and governors of the receipt of excise upon **cise, &c.** beer, ale, and other liquors, for the time being, in *Great Britain* respectively; and that all inferior officers, whether they be subcommissioners, collectors, supervisors, gagers, or others, that are or shall be constituted or appointed for levying, receiving, collecting, or answering of her Majesty's duties of excise upon beer, ale, and other liquors, shall, within the respective limits or districts, or in the several places or stations to which they are or shall be appointed, be also the subcommissioners, collectors, supervisors, gagers, or other officers respectively, for the several duties by this act granted; nevertheless, under the government and direction of the said respective chief commissioners of excise for the time being, or the major part of them, who have hereby power to dismiss or alter them, or any of them, and to make and constitute, from time to time, such and so many inferior officers, for the said duties hereby granted, and every or any of them, as to the said respective chief commissioners for the time being, or the major part of them, shall seem meet.

IV. And be it further enacted by the authority aforesaid, **Officers may** That all and every the said gagers and officers which are or shall **enter malt-** be so constituted and appointed, shall at all times in the day- **houses, &c.** time be permitted, upon their request, to enter the house, malthouse, and all other places whatsoever, belonging to or used by any person or persons whatsoever, who at any time or times, from and after the said twenty-third day of *June* one thousand seven hundred and thirteen, and before the said twenty-fourth day of *June* one thousand seven hundred and fourteen, shall make any malt (either for sale or not for sale) and to gage all cisterns, uting-fats, utensils, and other vessels **and gage cis-** used by any such malster, or maker of malt, for the wetting or **terns, &c.** steeping of any barley, or other corn or grain for the making of malt, and to gage, measure, and take an account of the just quantity of the barley, and other corn or grain which shall be found wetting or steeping in any such uting-fat, utensil, cistern, or other vessel, or shall have been wetted or steeped in them, or any of them, for the making of malt; and shall thereof make **and make re-** return or report in writing to the said commissioners, or such **port to the** other person or persons as they shall appoint to receive the same, **commission-** leaving **ers, &c.**

Penalty on
malsters, &c.
refusing to
permit of-
ficer, sol.

Malster once a
month to
make an en-
try at the ex-
cise office,

and to clear
off the duties
in three
months after.

Penalty on
malsters re-
fusing to pay,
&c.

Malt to be
measured by
the Winchester
bushel.

The dimen-
sions thereof.

leaving a true copy of such report in writing under his hand with such malster or maker of malt; and such report or return of the said gagers shall be a charge upon such malsters or makers of malt respectively: and if any such malster or other person, making malt for sale or private use, shall refuse to permit any such gager or officer to enter his house, or other place aforementioned, or to measure, compute and take an account of all his malt, and to gage all and every such uting-fats, utensils, cisterns, and other vessels, and to gage and take an account of his barley, or other corn or grain in any such cistern, uting-fat, utensil or other vessel, or which shall have been steeped or wetted, and shall be upon any floor or other place, every such malster or other person shall forfeit and lose for every such offence the sum of twenty pounds: and that from and after the said twenty-third day of *June* one thousand seven hundred and thirteen, during the continuance of this act, every malster or other person making malt, (for sale or not for sale) shall monthly and every month make a true entry at the said office of excise of all the malt made in such month respectively, on pain to forfeit for every such neglect the sum of ten pounds.

V. And be it further enacted by the authority aforesaid, That every such malster or other maker of malt, shall, within three months after he shall make or ought to have made such entry, as aforesaid, pay and clear off all the said duties which shall be due from him or them respectively.

VI. And be it further enacted, That every such malster or other person chargeable with the said duties, who shall neglect or refuse to make such payment, as aforesaid, shall forfeit and lose for every such offence double the sum of the said duty, whereof the payment shall be so refused or neglected: and that no such malster or other person, after such default made, shall sell, deliver or carry out any malt, until he hath paid and cleared off his duty, as aforesaid, on pain to forfeit double the value of such malt so delivered and carried out.

VII. And for the avoiding all disputes touching the returns made or to be made by the gagers of any malt, as aforesaid, be it enacted and declared by the authority aforesaid, That by the bushel, in this act mentioned, is meant and intended a bushel according to the standard remaining in the custody of the chamberlains of her Majesty's Exchequer, commonly called or known by the name of the *Winchester* bushel; and that the quantity of barley, or other corn or grain taken by the gage, according to such bushel, in any cistern, uting-fat, utensil, or other vessel, wherein such barley, or other corn or grain shall be found wetting or steeping, or which shall be found to have been wetted or steeped for the making of malt, shall be charged and returned by the gager as so many bushels of malt: and that every round bushel with a plain and even bottom, being made eighteen inches and a half wide throughout, and eight inches deep, shall be esteemed a legal *Winchester* bushel, according to the said standard.

VIII. And

VIII. And be it further enacted by the authority aforesaid, Powers, &c. That all and every the powers, authorities, directions, rules, methods, penalties and forfeitures, clauses, matters and things, in 12 Car. 2. c. 24. to be in force, &c. which in and by an act made in the twelfth year of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knight service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force, relating to her Majesty's revenue of excise upon beer, ale, or other liquors, are provided, settled or established, for raising, levying, collecting or recovering, adjudging or ascertaining the duties thereby granted, or any of them, (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used and put in execution, in and for the raising, levying, collecting, recovering and paying as well the said duties upon malt, as the said several duties upon mum, cyder and perry, hereby granted, during the continuance of this act, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters and things were particularly repeated, and again enacted in the body of this present act.

IX. And be it further enacted by the authority aforesaid, Fines, &c. That all fines, penalties and forfeitures by this act imposed, shall be sued for, levied and recovered or mitigated, by such covered. ways, means and methods, as any fine, penalty or forfeiture is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint or information in any of her Majesty's courts of record at *Westminster*, or in the court of session, court of justiciary, or court of Exchequer in *Scotland* respectively: and that one moiety of every such fine, penalty and forfeiture, shall be to her Majesty, or her heirs and successors, and the other moiety to him or them that shall discover, inform, or sue for the same.

X. And be it further enacted by the authority aforesaid, That all malt in the custody of any maker of malt, shall be liable and subject to, and are hereby made chargeable with all and singular the debts and duties of malt in arrear and owing by any person or persons, for any malt made by such malster, or within his malthouse, and shall also be subject to all penalties and forfeitures incurred by such person or persons so using such malthouse for any offence against the laws relating to the duties on malt; and that it shall be lawful in all cases to levy debts and penalties, and to use such proceedings against such malt, as it may be lawful to do in case the debtor or offender were the true and real owner of the same malt. Malt subject to the duties in arrear.

XI. And whereas many of her Majesty's subjects do make malt, not to sell or make any profit thereof, but to be consumed in their own private families only; For the better accommodation of such persons, it is hereby further enacted and provided by the authority aforesaid, That the said respective commissioners of excise

Compounders
to pay 5s. per
head, per an-
num,

for the time being, or the major part of them respectively, or such person or persons as they, or the major part of them, shall respectively appoint for that purpose, and in default of such appointment, then the collector and supervisor for the district and division, within which such person doth or shall inhabit, shall and may compound and agree with such person or persons for the said duties of such malt, which shall grow due or payable from him, her, or them, by this act, from the commencement thereof, until the end of the term hereby granted, at the rate of five shillings *per annum* for every head, which at any time or times, during the continuance of such composition, shall be of the family of such person or persons respectively, and to receive such composition-money, or to take security for the payment thereof quarterly; and that the houses, out-houses, malthouses, or other places of such particular persons making such composition and agreement, and paying such composition in money, or giving such security, and duly complying with their payments thereupon, shall not be liable to the said duty of six pence *per bushel* upon malt, or to the survey or search of any gager or officer of the excise, for or by reason of his or their making such malt, as aforesaid.

and not liable
to the duty,
nor to the sur-
vey of the ga-
gers.

Penalty on
selling malt
after compo-
sition.

XII. Provided, That if any such person, after such composition made, shall sell, exchange, barter, or deliver out any malt to any other person or persons, or shall permit any other person or persons, to make any malt in his, her, or their houses or outhouses, or shall sell any beer, ale, or other liquors made of malt, or shall have more persons of their families than they shall so compound for, without giving notice of them to the next office of excise, at or before the next quarter-day, and paying or securing the like compositions for them, then every such person shall forfeit the sum of five pounds, to be recovered and distributed, as aforesaid; and after any such offence committed, shall lose the benefit of his, her, or their composition, and shall be liable to the said duty of six pence a bushel upon malt, and to the survey and search of the said officers, as if no such composition had been made; and for every bushel of malt so fraudulently sold, exchanged, bartered, delivered out, or fraudulently made, every such person shall forfeit the sum of twenty shillings; any thing in this act to the contrary notwithstanding.

Compounders
to continue
their compo-
sition, &c. be-
fore 24 June
1713.

XIII. And be it further enacted by the authority aforesaid, That all and every such person and persons, who by virtue, or in pursuance of any former act for laying duties upon malt, mum, cyder and perry, have made or shall make any composition still in being, for the duties of their malt, shall on or before the four and twentieth day of *June* one thousand seven hundred and thirteen, continue such their composition for the duties hereby granted, and pay the composition money, or give bond for the same, according to the purport, true intent, and meaning of this present act, or in default thereof shall be, and are hereby charged and made liable to pay unto her Majesty,

or liable to
the duty, &c.

her heirs and successors, the sum of six pence for every bushel of malt which he, she, or they, or any other person or persons in trust for him, her, or them, shall be possessed of, on the said four and twentieth day of *June* one thousand seven hundred and thirteen; and that all and every such person and persons who have, or hath, or shall make such composition for their said duties on malt, in pursuance of the said former acts, or any of them, and who shall make default in continuing such their composition, as aforesaid, shall on or before the tenth day of *July* one thousand seven hundred and thirteen, make true and particular entries of all such malt as they, or any of them, or any other person or persons in trust for them, or any of them, shall be possessed of, or have in his, or their custody or possession, at the office of excise within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of fifty pounds and the malt, of which no such entry shall be made; and within six days after he, she, or they shall have made, or ought to have made such entry, as aforesaid, shall pay down the duties hereby charged upon the same, or in default thereof shall forfeit and lose double the value of the said malt; and that the houses, out-houses, and other places belonging to such compounders, who shall make default in continuing such their compositions, as aforesaid, shall be and are hereby made liable to the search and view of the officers for the said duties, in the same manner, and under the same penalties for refusal, as other persons making malt for sale are liable.

XIV. And be it further enacted by the authority aforesaid, That from and after the said three and twentieth day of *June* one thousand seven hundred and thirteen, and after the duty by this act imposed on malt is paid by the malster, if any quantity of malt shall unfortunately happen to be damaged by the casting away or sinking of the barge or vessel in which the said malt shall be transported from one part of this kingdom to another within the same, That the justices of the peace of the county, riding, or division, where such accident shall happen, shall at the next general quarter-sessions to be held for such county, riding, or division, upon proof of such damage, and of payment of the duty, as aforesaid, determine and settle the quantity of the damage done to such malt by the casting away or sinking of the barge or vessel in which the same shall be transported, as aforesaid, and an allowance to be made in respect thereof, and to give a certificate under their hands and seals of the sum allowed, which allowance shall bear the same proportion to the whole duty, as the said damage shall appear to bear to the value of the said malt before it was so damaged; upon producing of which certificate to the officer appointed to collect the said duty, he shall be obliged to repay or allow to the said proprietor or proprietors, out of the duty paid for the said malt, so much money as the sum certified by the said justices shall amount unto, or in default thereof, that the proprietor or proprietors of the said malt shall and may deduct the allowance so

Malt damaged by the casting away of the vessel, &c.

Justices to determine the damage, &c.

and officer to repay the duty, &c.

certified out of the next or any other subsequent monies becoming due from such proprietor or proprietors by virtue of this present act.

Notice to be left with the collector three days before quarter-sessions.

XV. Provided always, and it is hereby enacted by the authority aforesaid, That where any such loss or damage shall happen, as aforesaid, the person or persons who shall sustain the same, shall, three days at least before the next quarter-sessions, give or leave notice in writing thereof with the collectors of excise of the district or collection where such loss or damage shall happen, and of his and their intention of applying at the next general quarter-sessions of the peace for an allowance in respect of such damage or loss.

No maltster to mix corn of one wetting with corn of another wetting, on forfeiture of 5s. per bushel.

XVI. And whereas many maltsters and makers of malt, in order to the defrauding her Majesty of the duty, and preventing the officers from taking and keeping a true account of the corn or grain by them steeping and steeped, and making into malt, do in the absence of the officers remove part of their corn or grain out of the cistern or wetting-fat, and mix the same with corn or grain of a former wetting, and supply the place of the corn or grain so removed with fresh corn or grain, and do also mix their several couches and floors, in such manner that the officers for the said duties cannot distinguish one wetting from another; for remedy whereof, be it further enacted by the authority aforesaid, That during the continuance of the duties hereby granted, no maltster or maker of malt, other than compounders for the said duties, shall, during the continuance of the said duties, mix, or cause to be mixed, his, her, or their corn or grain making into malt, of one wetting or steeping, or any part thereof, with his, her, or their corn or grain making into malt, of a former wetting or steeping, or any part thereof, before the same is put on the kiln for drying, on pain of forfeiture of the sum of five shillings for every bushel of corn so mixed, contrary to the true intent and meaning hereof.

Gagers to measure by the gage, and not by the bushel.

XVII. And be it further enacted by the authority aforesaid, That the gagers and other officers of excise, for the time being, or that shall be deputed to put this present act into execution, shall, during the continuance of the duties hereby charged, measure such corn and grain making into malt by the gage only, and not by the bushel; any thing herein before contained, or in any former act or acts, relating to the duties hereby granted, to the contrary in any wise notwithstanding.

Penalty on maltsters pressing malt together in the cistern, &c. 2s. 6d. per bushel.

XVIII. And whereas in making of malt; practised before the granting the said duties, the barley, or other corn or grain, during its steeping in the cistern or uting-fat, did usually rise and swell so considerably, that it was thought reasonable, upon granting the said duties, in all charges to be made by the officers from the cistern or couch, to allow to the maltsters, upon payment of the duty, four bushels in every twenty bushels, and so proportionably upon every greater or lesser quantity, in consideration of such rise or swelling of the corn, which allowances have been and are made accordingly: and whereas many maltsters or makers of malt for sale, by pressing, treading, ramming, or other methods, do now not only make their corn rise

sa cistern or uting-fat, and also in the couch; that the rise or swelling, as aforesaid, is prevented, but also renders it very difficult for officers to know the true quantity of the corn steeped, or in the couch, and thereby have the allowance, as aforesaid, though the reason of making the same is taken away; be it therefore further enacted, That if any malster or maker of malt for sale, during the continuance of the duties on malt by this act granted, shall tread, ram, or otherwise force together in the cistern, uting-fat, or couch, any corn steeping or steeped, in order to the making into malt, every such malster or maker of malt for sale, shall for every such offence, forfeit and lose the sum of two shillings and six pence for every bushel of corn steeping or steeped, that shall be so pressed, trodden, rammed, or forced; any thing herein or in any former act or acts contained to the contrary in any wise notwithstanding.

XIX. Provided always, and be it enacted by the authority aforesaid, That no person or persons shall be sued or charged with the duties hereby granted, unless some action, information, or suit be commenced for the same, within five years after the same shall become due.

All prosecutions to be within five years.

XX. And in regard the quantity of barley, or other corn or grain, taken by the gage in any cistern, uting-fat, or other vessel, or utensil, wherein such barley, or other corn or grain shall be found wetting or steeping, or which shall be found to have been wetted or steeped for the making of malt, is by this act to be charged and returned by the gager, as so many bushels of malt: It is hereby further enacted by the authority aforesaid, That out of every twenty bushels so charged by the gager, there shall be an allowance made to the maker of such malt so charged in the uting-fat, cistern, or other vessel, wherein the same shall be found wetting or steeping, as aforesaid, or upon the floor within thirty hours after the same shall be thrown out of the uting-fat, utensil, cistern, or other vessel, of four bushels, and out of every greater or lesser quantity, a proportionable allowance shall be made in consideration of the difference between the quantity of such corn when it is wet and swollen, and the quantity thereof, when it is converted into dry malt; any thing herein contained to the contrary notwithstanding.

Allowance for malt charged in the uting-fat, &c.

XXI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties by this act payable for any quantity of malt whatsoever, and to and for any other person or persons, who shall buy, or be lawfully entitled to any such quantity of malt from the said person or persons who actually paid her Majesty's duties for the same, to export such malt for any foreign parts, giving sufficient security before the shipping thereof for exportation, that the particular quantity of malt, which shall be intended to be exported, as aforesaid, or any part thereof, shall not be reloaded, or brought again into any part or parts of Great Britain, which security the customer or collector of the respective ports for such exportation,

Malt after duties paid may be exported, &c.

is hereby directed and authorised to take in her Majesty's name, and to her Majesty's use.

Penalty on malt shipped for exportation, and afterwards re-landed.

XXII. Provided always, That if after the shipping of any such malt to be exported, as aforesaid, and the giving or tendering such security, as aforesaid, in order to obtain the allowance or drawback herein after mentioned, the malt so shipped to be exported, shall be re-landed in any part of the said kingdom of Great Britain, That then, and in every such case, over and above the penalty of the bond, which shall be levied and recovered to her Majesty's use, all the malt which shall be landed, and the value thereof, shall be forfeited, that is to say, one moiety thereof to the Queen, and the other moiety thereof to the person or persons that will seize, inform or sue for the same, to be recovered as any other penalties by this act are recoverable.

Exporter to produce a certificate that the duty is paid, &c.

XXIII. And be it further enacted by the authority aforesaid, That if any person or persons who shall export any malt into foreign parts, shall produce a certificate or certificates from the collector or officer who received the duty of such malt, that the duty thereof hath been paid or secured to be paid, which certificate the collector or officer is hereby required to give gratis, proof being made upon oath that the duty of such malt hath been paid or secured to be paid (which oath the said collector or officer is hereby required to administer) and also making oath before the officer or collector of the port, that the malt so exported is the same mentioned in such certificate, then the collector or chief officers of the port where such malt shall be exported, shall give to the exporter thereof a certificate or debenture, expressing the true quantity of the malt so exported or shipped for exportation; which certificate or debenture being produced to the collector, or other officer appointed to receive the said duty, in the county, shire, stuartry, or place where such malt was exported, he is hereby required to pay the said duty of six pence per bushel to the persons or their agents so exporting the same; and in case the collector or other officers shall not have any money in their hands to pay the same, then the respective commissioners appointed for executing this act, are hereby required to pay the same out of the duties arising by the said act; any thing in this act contained to the contrary notwithstanding.

Debentures for malt unsatisfied, on 24 June 1713. how to be paid.

XXIV. And be it enacted, That all debentures for malt exported upon any former act or acts for laying duties upon malt, mum, cyder, and perry, which shall remain unsatisfied, on the four and twentieth day of June one thousand seven hundred and thirteen, shall (in case the respective commissioners or officers of excise shall not have sufficient in their hands of the duties granted by the said former acts to satisfy the same) be paid and satisfied out of the duties arising by this present act.

Rent payable in malt, tenant to deduct 4s. per quarter, &c.

XXV. And be it further enacted by the authority aforesaid, That where any rent is reserved and payable in malt, or if payable in money, and the sum or quantity of such rent is to be ascertained by the price of malt, and is to increase just as much as the

the price of malt doth increase, it shall and may be lawful, during the continuance of this act, for the tenant of any lands subject to any such rent, to detain, deduct and abate so much of every such rent as will amount to the duty by this act charged for every quarter of malt, or the value of it in money, that is so reserved, and so proportionably for any lesser quantity; and the person or persons, bodies politick or corporate, to whom any such rent is reserved, as aforesaid, shall, upon the receipt of the residue of any such rent, make an allowance of such deductions, as aforesaid, and the tenant be discharged, as if such payment had been made without any deduction or abatement whatsoever.

XXVI. Provided always, and be it further enacted by the authority aforesaid, That from and after the said three and twentieth day of June one thousand seven hundred and thirteen, during the continuance of this act, no malt shall be brought or imported into Great Britain from any foreign part or parts beyond the seas, upon pain of forfeiture of the malt so imported, and also the full value thereof, one moiety to the Queen, and the other moiety to such person or persons as shall seize, inform or sue for the same, by action of debt, bill, plaint or information, wherein no essoin, protection, or wager of law, or any more than one imparlance shall be allowed.

Malt imported from beyond sea forfeited.

XXVII. And whereas several persons making and dealing in malt, are subject to many hazards and inconveniencies, as well by fire as water, be it therefore further enacted by the authority aforesaid, That from and after the three and twentieth day of June one thousand seven hundred and thirteen, and after the duty by this act imposed on malt is paid, or secured to be paid by the maltster, if any quantity of malt shall unfortunately happen to be destroyed by fire, by the burning of the malthouse, granary or other place where the same shall be made or kept, or shall perish by water, by the casting away of the barge or vessel in which the said malt shall be transported from any part of this kingdom to another; it shall and may be lawful for the proprietor or proprietors of such malt so perishing, as aforesaid, to make proof thereof by two credible witnesses upon oath, and of his, her, or their having paid or given security to pay the said duty, before the justices of the peace of the county, riding or division where such accident shall happen, at the next general quarter-sessions to be held for such county, riding, or division (who are hereby empowered to give certificates under their hands and seals of such loss) upon producing of which certificate to the officer appointed to collect the said duty, he shall be obliged to repay or allow to the said proprietor or proprietors so much of the said duty as shall have been by him paid for the quantity of malt proved to have so perished.

Malt destroyed by fire or water, or cast away.

on oath that the duty was paid, &c.

Officer to repay the duty, &c.

XXVIII. Provided always, That if any barley or other corn or grain that hath been steeped or wetted in any cistern, uting-fat, or other vessel, shall, during the continuance of this act, be found working or growing upon the floor, before it is put upon

An allowance of 10 bushels in 20 on a floor-gage.

upon the kiln, in order to be made into malt, after the said three and twentieth day of *June* one thousand seven hundred and thirteen, which when dried and made into malt, will not answer so great a quantity from the floor as from the cistern or vat; it is hereby enacted by the authority aforesaid, That out of every twenty bushels so charged upon the floor, there shall be an allowance made to the maker of the said malt, which shall be gaged and charged upon the floor, after the same shall have been thrown out of the uting-fat, utensil, cistern, or other vessel before mentioned, by the space of thirty hours or more, and before the same shall be dried, of ten bushels, and out of every greater or lesser quantity a proportionable allowance shall be made, in consideration of the difference between the quantity of such corn when it is making upon the floor, and the quantity thereof when it is dried and perfectly made into malt; any thing herein contained to the contrary thereof in any wise notwithstanding.

Exporters of
malt to receive
the bounty
money granted
: W. & M.
C. 12.

XXIX. *And whereas by an act made in the first year of the reign of their late majesties King William and Queen Mary, intituled, An act for encouragement of the exportation of corn, it is thereby enacted, That when malt or barley is at twenty-four shillings per quarter or under, every merchant that shall put on board any malt, according to or under the limitations or conditions in the said act expressed, the said merchant shall have and receive from the farmers, commissioners, or collectors of the duties arising from the customs, for every quarter of malt or barley so exported, the sum of two shillings and six pence: be it hereby enacted, That the duty of six pence per bushel by this act imposed upon malt, shall not be reckoned or valued towards the price of twenty-four shillings per quarter, by the said recited act limited, but that the exporter of malt shall have and receive the bounty granted by the said recited act, unless when the price of malt exceeds twenty-four shillings per quarter, over and above the duty by this act granted.*

The same al-
lowance on
exporting
ground malt,
as if whole,
&c.

XXX. Provided always, and be it further enacted and declared by the authority aforesaid, That in case any person or persons whatsoever shall export any ground malt from any port or place in *Great Britain*, to any foreign parts, the duties whereof shall have been paid or secured to be paid according to this act, such person and persons shall have the like drawback or allowance out of the duties on malt by this act granted, as if the said malt had been whole, upon debentures to be obtained, and upon producing certificates, making oath, and doing and performing the other matters and things herein before prescribed and directed, in order to obtain debentures upon exportation of malt for foreign parts; yet nevertheless such ground malt so exported shall be computed and estimated after the rate of so many bushels of malt as the same did contain before it was ground, and no more.

Gager to leave
a copy of each
page with the
maker.

XXXI. Provided always, and be it further enacted, That every gager or other officer, who shall be constituted or appointed to put this act in execution, shall be and are hereby required

quired to leave a true copy of each gage, and the quantity thereof, in writing under his or their hands, with or for the said maker or makers of malt, at the time of taking such gage upon demand, under the penalty of forty shillings.

XXXII. And for the prevention of evil practices in brewing beer and ale, with sugar, honey, foreign grains, *Guinea* pepper, or with a late invented liquor or syrup made from malt and water, boiled up to the consistency of mellasses, and very much resembling the same, and commonly called *Essentia Bine*, or with other unwholsome materials; and that no mixture of sugar, honey, foreign grains, *Guinea* pepper, or of the said liquor or syrup, or other unwholsome materials, may be used in the brewing or making of beer and ale; be it enacted, That no common brewer, innkeeper, victualler, or other retailer of beer and ale, shall make use of any sugar, honey, foreign grains, *Guinea* pepper, or of the said liquor or syrup, called *Essentia Bine*, *Coculus Indiae*, or any unwholsome materials or ingredients whatsoever, in the brewing or making of any beer or ale, or mix any sugar, honey, foreign grains, *Guinea* pepper, or any of the said liquor called *Essentia Bine*, *Coculus Indiae*, or any unwholsome materials or ingredients whatsoever, with any beer or ale, on pain of twenty pounds for every such offence.

No brewer, &c. to use sugar, &c. in brewing, on penalty of sol.

XXXIII. And be it enacted by the authority aforesaid, That all monies which shall arise by this act of the said duties upon malt, mum, cyder and perry (over and above the necessary charges of raising and levying the said duties) shall, from time to time, be brought and paid into the receipt of the Exchequer.

The monies to be paid into the Exchequer.

XXXIV. And it is hereby further enacted by the authority aforesaid, That from and after the said twenty-third day of June one thousand seven hundred and thirteen, all and every the said officers shall, upon their request, be permitted, as well by night as by day (but if in the night-time, then in the presence of a constable, or other lawful officer of the peace) to enter the house, malthouse, and other place belonging to or made use of by any publick malster or maker of malt for sale, common brewer, innkeeper, victualler, distiller, or vinegar-maker, making malt, to gage, measure and take an account of the just quantity of barley, and other corn or grain which shall be wetting or steeping, or which shall have been wetted or steeped in such house, malthouse, or other place; and if any such publick malster or maker of malt for sale, common brewer, innkeeper, victualler, distiller, or vinegar-maker, shall refuse to permit such officers, or any of them, to enter his house, malthouse, or other place, as aforesaid, or to gage, or to take an account of his barley, or other corn or grain, as aforesaid, the person or persons offending therein, shall for every such offence forfeit and lose the sum of twenty pounds.

Officers may enter malt-houses, &c.

Malster refusing entrance forfeits sol.

XXXV. And it is hereby further enacted by the authority aforesaid, That if any maker of malt shall, during the continuance

ance

Concealing
malt forfeits
20s. per bush-
el.

ance of the duties hereby granted, fraudulently hide, conceal, or convey away any of his malt from the sight or view of the gager or gagers appointed to take an account of the same, the person or persons offending therein, shall forfeit and lose for every bushel of malt so hid, concealed, or conveyed away from the sight and view of such gager or gagers, the sum of ten shillings, to be recovered and distributed, or mitigated, as other penalties and forfeitures by this act, or by any law herein referred unto, are to be recovered, distributed, or mitigated.

Malster not to
set up any cis-
tern, &c. with-
out notice, on
pain of sol.

XXXVI. And be it further enacted by the authority aforesaid, That from and after the said twenty-third day of *June* one thousand seven hundred and thirteen, during the continuance of this act, no malster or other person, making malt for sale or not for sale (other than and except compounders for the said duty) shall erect or set up, alter or enlarge, or make use of any cistern, uting-fat, utensil, or other vessel, for the wetting or steeping any barley, or other corn or grain for the making of malt, or of any kiln, floor, room, or other place for the making or keeping of malt, or keeping of corn or grain making into malt, without first giving notice thereof in writing at the next office of excise, or shall keep or make use of any private cistern, uting-fat, utensil, or other vessel, for the wetting his barley, or other corn or grain to make malt, other than such as are openly known and made use of in his common making-house, on pain to forfeit for every such cistern, uting-fat, utensil or other vessel, kiln, floor, room or other place so erected or set up, altered or enlarged, kept private or concealed or made use of without such notice as aforesaid, the sum of fifty pounds to be levied, recovered, mitigated and distributed as aforesaid.

Persons ag-
grieved may
appeal to the
quarter-ses-
sions, &c.

XXXVII. And be it enacted by the authority aforesaid, That if either party think him or themselves aggrieved by any judgment or order to be given or made by any justices of the peace, in pursuance of this present act, touching or concerning the duties hereby granted, or any penalty and forfeiture relating to the same, it shall and may be lawful to and for such person or persons, so finding him, her or themselves aggrieved by such judgment or order, to appeal from the same to the justices assembled at the next general quarter-sessions of the peace, to be holden for the county, shire or stuartry where such judgment or order shall have been made; which said justices of the peace, or the major part of them, are hereby empowered to hear and finally determine the same; and no writ of *Certiorari* shall be allowed or brought to set aside any determination or order of the said justices.

No Certiorari.

Appellor to
give notice
thereof six
days before
quarter-ses-
sions, &c.

XXXVIII. Provided always, and it is hereby enacted by the authority aforesaid, That the party or parties so appealing, as aforesaid, shall give notice in writing, by the space of six days next before such session shall be held, as aforesaid, unto the party or parties of the other side, of his, her or their intention to bring such appeal; and that it shall and may be lawful to and for such justices or the major part of them, in their quarter-sessions,

sions, to award costs to either party, as they shall in their discretion think fit, to be levied by warrant of the justices of the peace of such county, shire, or stuartry, or any two or more of them, on the goods and chattels of the party or parties, against whom the same shall be awarded. Provided also, That in case there be not the space of six days between the first judgment or order of the two justices, and the quarter-sessions then next following, that then the appeal may be made at the second quarter-sessions, after such judgment or order made.

XXXIX. And it is hereby further enacted by the authority aforesaid, That all malt made in *Scotland*, not to be consumed there, which at any time or times between the twenty-third day of *June* one thousand seven hundred and thirteen, and the twenty-fourth day of *June* one thousand seven hundred and fourteen, shall be brought into *England*, *Wales*, or the town of *Berwick upon Tweed*, shall, in case the same be brought by sea, be entred with the officer for the said duties of the port where the same shall be so brought into *England*, *Wales*, or *Berwick*; and the sum of six pence *per* bushel (unless a certificate from the proper officer be produced, that it had paid the said duty in *Scotland*) for the same malt, shall be paid to such officer before landing thereof: and in case the same shall be brought by land, such malt shall pass and be carried by and through the towns of *Berwick* or *Carlisle*, and there entred with the officer of the said duties, in such of the said towns by or through which such malt shall be so carried; and the like duty of six pence *per* bushel for the same, unless such certificate be produced, as aforesaid, shall be paid down in ready money to such officer, on pain of forfeiting all such malt, and the value thereof, as shall be landed or put on shore, or brought into *England*, without such entry or payment of such additional duties, as aforesaid: and in case any malt made in *Scotland* shall, during the said term, be found coming out of *Scotland*, or brought from thence by land, by or beyond the towns before-mentioned, without entry or payment of the duties thereof, or producing such certificate, as aforesaid, then all such malt, or the value thereof, shall be forfeited; the last mentioned forfeiture thereof to be and go, one moiety thereof to the Queen's majesty, the other moiety thereof to such person or persons as will inform, seize, or sue for the same, or the value thereof, and to be recovered and levied by such ways, means and methods, as any other penalties or forfeitures, relating to the malt duties are by this act to be recovered and levied.

XL. And be it enacted by the authority aforesaid, That all the monies which shall arise by this act of the said duties on malt, mum, cyder and perry, over and above the necessary charges of raising and paying the said duties, shall from time to time be brought and paid into the Exchequer.

Malt made in Scotland, brought by sea into England, to be entered at the port of landing,

and pay 6d. per bushel, unless certified to have paid the duty. Malt brought by land, to pass thro' Berwick or Carlisle, and to be entered there, and to pay 6d. per bushel, on pain of forfeiture.

Such malt coming by land, beyond the said towns, without entry, &c. forfeited, or the value.

The monies arising to be paid into the Exchequer.

There shall be kept in the office of the auditor of the receipt one book, in which all the orders for money payable upon this act, shall be registered; and

A book to be kept, for transferring the principal sums on the malt act 9 Ann. to the register of this act.

and the money lent upon the act of the ninth year of her Majesty's reign unavulsed, with interest of six per cent. shall be placed upon the register, and shall be paid out of the monies arising by this act : interest to be paid every three months. It shall be lawful for any persons to lend upon credit of the said duties any sums, as together with the principal monies appointed to be transferred, shall not exceed seven hundred thousand pounds; which lenders shall have interest of five per cent. to be paid every three months. Where it shall appear by affidavit before any of the barons of the Exchequer, that any Exchequer bills, or tickets, before the twentieth of May one thousand seven hundred and thirteen, have been lost, burnt, or destroyed : it shall be lawful for the respective officers, upon producing a certificate from any of the said barons, and on security given to the said officers, to make forth duplicates of the said bills and tickets. It shall be lawful for the commissioners to settle and adjust the properties of any tickets in the lotteries that have not hitherto been settled, provided the persons possessed of the tickets do appear on or before the five and twentieth of December one thousand seven hundred and thirteen. If any person shall forge or counterfeit any of the lottery orders, or alter the number or principal sum of any such order, or counterfeit the hand of any person to such order, thereby to procure a fraudulent assignment, or sell any such order, knowing the same to be forged, every such person shall be adjudged a felon, without benefit of clergy. E X P.

Clause for explaining a late act in relation to stamp duties on customary estates, which pass by deed and copy. to Ann. c. 19.

XLVIII. And whereas in the tenth year of her Majesty's reign an act did pass, For laying several duties upon all soap and paper made in Great Britain, or imported into the same; and upon chequered and striped linen imported; and upon certain silks, calicoes, linens and stuffs, printed, painted or stained; and upon several kinds of stamp vellum, parchment and paper; and upon certain printed papers, pamphlets, and advertisements, for raising the sum of eighteen hundred thousand pounds, by way of a lottery, towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp duties, by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills or lottery tickets; and for borrowing money upon stocks, part of the capital of the South-Sea company, for the use of the publick; in which said act it is enacted, That for every skin, or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written, within or during the term of thirty-two years, to be reckoned from the first day of August in the year one thousand seven hundred and twelve, any surrender of or admittance to any copyhold land or tenement, within those parts of Great Britain called England, Wales, and the town of Berwick upon Tweed, or any grant or lease by copy of court-roll, or any other copy of the court-roll of any honor or manor within the same parts of Great Britain, or any of them, other than and except the original surrender to the use of a will, and the court-roll or book wherein the proceedings of the court are entered or enrolled, the sum of two shillings and three pence sterling; and a doubt having arisen whether by the said clause, copies of admittances to custom right or tenant-right estates, not being copyhold, which pass by deed, surrender and admittance, or by deed and admittance, ought to be stamped; It is declared and enacted hereby, That no copies of any surrenders or admittances to such custom-right

right or tenant-right estates, as aforesaid, ought to be stamped, nor were they ever designed or intended, nor ought they to be deemed or construed to be within the meaning of the said act.

CAP. III.

An act to revive and continue the act for taking, examining, and stating the publick accounts of the kingdom: and also to continue the act for appointing commissioners to take, examine, and determine the debts due to the army, transport-service, and sick and wounded. E X P.

CAP. IV.

An act for making inclosures of some part of the common grounds in the West-Riding of the county of York, for the endowing poor vicaridges and chapelries, for the better support of their ministers.

WHEREAS in the West-Riding of the county of York there are divers parishes of great extent, and very populous, which hath occasioned the erecting of divers chapels of ease for the benefit of the inhabitants: but there being very small or no settled provision made for the maintenance of the ministers that perform divine offices in those chapels, or for the vicars of many of the parish-churches within the said West-Riding; and there being large commons or waste grounds, within many of the said parishes, which yield little or no profit or advantage to any person, it would be a great advantage and encouragement to the vicars and ministers there, if they might, by inclosing some parts of the said commons and waste grounds, improve the same for the benefit of themselves and their successors: May it therefore please your most excellent Majesty, at the humble suit of the justices of the peace, gentlemen, clergy, freeholders and other inhabitants of the said riding, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in parliament assembled, and by the authority of the same, That from and after the nine and twentieth day of September, which shall be in the year of our Lord one thousand seven hundred and thirteen, it shall and may be lawful for any of the inhabitants of any parish in the *West-Riding* of the county of York, wherein any such chapels of ease, as aforesaid, now are, or hereafter shall be erected or built, and wherein there are large wastes or commons, with the consent of the lord or lords of the manor wherein such waste-ground lies, (and if there be above two lords of such manor, then with the consent of the major part of them) and with the consent of three parts of four of all freeholders and others, who have any right of common therein, according to their number, and the value of their respective estates, to inclose any part of the wastes or common grounds within such parish (or chapelry therein) not exceeding sixty acres, or a sixth part of such common land, where the said sixth part shall not exceed sixty acres, and to settle the same in trustees and their heirs, for the benefit, and as a maintenance and support of such ministers as shall not have a settled provision of above 40l. per annum.

tion of above forty pounds *per annum* for their maintenance; and shall reside within the same parish or chapelry, and perform divine offices in the parish church or chapel therein, according to the usage of the church of *England*, and be licensed by the archbishop of *York*, or the guardian of the spiritualties (*Sede Vacante*) any former law or usage to the contrary notwithstanding.

Saving to lords
of manors all
mines, &c.

II. Saving always, and reserving unto all lords of manors, and other owners and proprietors of royalties within the said riding, their heirs and assigns, all and all manner of mines and quarries of stone, coal and ore, and other mines, with full power, and free liberty to dig, get, and sough for the same, in and through any such inclosures that shall be made pursuant to this act; and the same so got, with carts, wains and carriages to take, lead, and carry away.

No trustee, &c.
shall alienate
the profits of
such enclosed
lands to any
other use but
for support of
the minister.

III. And be it further enacted by the authority aforesaid, That after any such inclosure and settlement, it shall not be in the power of any trustee or minister, or any other person whatsoever, to alienate and imploy any of the profits of such inclosed lands to any other use or uses, but only for the support and maintenance of the vicar or minister who shall serve the cure, (if it belong to a vicarage) and to the minister that performs divine service in the chapel, according to the usage of the church of *England*, (if it be appropriated to any chapel) and not otherwise.

Trustees, &c.
with consent
of the mini-
ster, may lease
the grounds so
enclosed for 21
years, reserv-
ing rent pay-
able half-
yearly, for the
use of the
minister.

IV. And be it further enacted, That it shall and may be lawful for any of the said trustees and their heirs, from time to time, by any writing or writings under their hands and seals, with the consent of the vicar or minister, for whose use such inclosure is made, to be testified by his being made a party to, and signing and sealing such writing, to demise or lease any common or waste grounds, or any parcel or parcels thereof, that shall be inclosed by virtue of this act, for any term or number of years not exceeding one and twenty, so as upon every such demise or lease there be reserved, payable half-yearly, during the said term, as much rent as can, at the making such lease, be really gotten for the same; and that such rent be made payable to or for the only use and benefit of such vicar and minister of such vicarage or chapelry, and their successors, and so as no fine, income, or other consideration be taken for the same.

Lease other-
wise made,
void.

V. And it is hereby enacted, That all leases made of such inclosures in any other manner, shall not be good or available in the law, but shall be *ipso facto* void.

General issue.

VI. And be it further enacted by the authority aforesaid, That if any action, suit, or information, shall be commenced or prosecuted against any person or persons, for any thing that he or they shall do or cause to be done in pursuance or in execution of this act, such person or persons so sued in any court whatsoever, shall and may plead the general issue of not guilty; and upon any issue joined may give this act and the special matter in evidence; and if in any such suit the plaintiff or prosecutor shall become nonsuit, or forbear prosecution, or suffer a discontinuance,

ance, or if a verdict shall pass against him upon a demurrer, then in any of the said cases, the defendant or defendants shall recover full costs, for which he or they shall have the like remedy as is allowed in any case where costs are to be recovered by any former law.

VII. And be it further enacted, That this act shall be taken Publick act, and allowed in all courts within this kingdom, as a publick act.

VIII. *And whereas some manors within the said West-Riding, Waste of manors belonging to her Majesty in right of the crown; be it further enacted by the authority aforesaid, That by and with the consent of her Majesty, her heirs and successors, and with the consent of three parts of four of the freeholders and others, who have right of consent of the crown, and the value of their respective estates, it shall and may be lawful to inclose any part of the waste or common grounds of such manors not exceeding sixty acres, or a sixth part of such common land where the said sixth part shall not exceed sixty acres; and to settle the same in trustees and their heirs, for the charitable purposes aforementioned; any law or statute to the contrary thereof in any wise notwithstanding.* *Queen may be inclosed with consent of the crown, and settled in trustees for the said uses.*

CAP. V.

An act to explain a clause in an act of the last session of parliament, intituled, An act for the more effectual preventing fraudulent conveyances, in order to multiply votes for the electing knights of shires to serve in parliament, as far as the same relates to the ascertaining the value of freeholds of forty shillings per annum.

WHEREAS by an act made in the last session of parliament, ^{10 Ann. c. 23.} intituled, An act for the more effectual preventing fraudulent conveyances, in order to multiply votes for electing ^{18 Geo. 2. c. 18.} knights for shires to serve in parliament, it is amongst other things enacted, That from and after the first day of May, which should be in the year of our Lord one thousand seven hundred and twelve, no person shall vote for the electing of any knight of a shire within that part of Great Britain called England, in respect or in right of any lands or tenements which have not been charged or assessed to the publick taxes, church rates, and parish duties, in such proportion as other lands or tenements of forty shillings per annum, within the same parish or township, where the same shall lie or be, are usually charged, under a penalty therein expressed: and whereas some doubts have arisen whether parsons, vicars, and other persons, having messuages, lands, rents, tithes, or other hereditaments, are not thereby restrained from voting at such elections, in regard that such messuages, lands, rents, tithes, or hereditaments, have not been usually charged or assessed to the publick taxes, church rates, and parish duties, and to every of them: now forasmuch as it was only intended thereby to ascertain the value of lands or tenements, by making the proportion paid to the publick taxes, church rates, and parish duties,

The act
10 Ann. c. 23.
not to restrain
any person
from voting
in respect
of any rents, &c.
or chambers
in inns of
court, in re-
gard of their
not being
charged to
publick taxes,
&c.

or such of them, to which the same were usually charged or assessed, the measure of the value thereof; and for the removing such doubts, be it enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the said act, or any thing therein contained, shall not extend, or be construed to restrain any person from voting in such election of any knight of a shire within that part of *Great Britain* called *England*, in respect or in right of any rents, tithes, or other incorporeal inheritances, or any messuages or lands in extraparochoial places, or any chambers in the inns of court or inns of chancery, or any messuages or seats belonging to any offices, in regard or by reason that the same have not usually been, or shall not be charged or assessed to all or any the publick taxes, church rates, and parish duties, as mentioned in the above recited act, or in respect or in right of any other messuages or lands not herein before specified, in regard, or by reason that the same have not been usually charged or assessed to all and every the publick taxes, church rates, and parish duties aforesaid: provided, That such messuages or lands have usually been charged or assessed to some one or more of the said publick taxes, rates or duties, in such proportion as other messuages or lands of forty shillings *per annum*, within the same parish or township, where the same shall lie or be, are usually charged to the same; any thing contained in the said recited act to the contrary thereof in any wise notwithstanding.

Provided they
have been as-
sessed as other
messuages of
40s. per ann.
in the same
parish, &c.

C A P. VI.

An act for the better regulating the elections of members to serve in parliament for that part of Great Britain called Scotland.

WHEREAS of late several conveyances of estates have been made in trust or redeemable for elusory sums, no ways adequate to the true value of the lands, on purpose to create and multiply votes in elections of members to serve in parliament for that part of Great Britain called Scotland, contrary to the true intent and meaning of the laws in that behalf: be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That from and after the determination of this present parliament, no conveyance or right whatsoever, whereupon infeofment is not taken, and seisin registrated one year before the *teste* of the writs for calling a new parliament, shall, upon objection made in that behalf, entitle the person or persons so infeoff, to vote or to be elected at that election in any shire or stewartry in that part of *Great Britain* called *Scotland*; and in case any election happen, during the continuance of a parliament, no conveyance or right whatsoever, whereupon infeofment is not taken

After the end
of the parlia-
ment no con-
veyance
whereon infe-
offment is not
taken, and
seisin registrated
a year before
the teste of the
writ, shall in-
title to vote or
be elected in
Scotland; nor
if any election
happen during

one year before the date of the warrant for making out a new writ for such election, shall, upon objection made in that behalf, entitle the person or persons so insoff to vote or be elected at that election; and that from and after the said day, it shall or may be lawful to or for any of the electors present, suspecting any person or persons to have his or their estates in trust, and for the behoof of another, to require the preses of the meeting to tender the following oath to any elector; and the said preses is hereby impowered and required to administer the same in the words following, viz.

the continu-
ance of a par-
liament.

Any elector
may require
the preses to
tender an oath
to one whom
he suspects to
have an estate
in trust.

I A. B. do, in the presence of God, declare and swear, That the lands and estate of _____ for which I claim to give my vote in this election, are not conveyed to me in trust, or for the behoof of any other person whatsoever; and I do swear before God, that neither I, nor any person to my knowledge, in my name, or by my allowance, hath given, or intends to give, any promise, obligation, bond, back-bend, or other security, for re-disponing or re-conveying the said lands and estate, any manner of way whatsoever: and this is the truth, as I shall answer to God.

The oath.

And in case such elector refuse to swear, and also to subscribe the said oath, such person or persons shall not be capable of voting, or being elected at such election.

Refusing, shall
not vote.

II. Provided always, That notwithstanding such oath taken, it shall be lawful to make such other objections as are allowed by the laws of Scotland against such electors.

Other objec-
tions as allow-
able by law.

III. And be it further enacted and declared by the authority aforesaid, That no insoffment taken upon any redeemable right whatsoever (except proper wadsetts, adjudications, or apprisings, allowed by the act of parliament relating to elections in one thousand six hundred eighty-one) shall entitle the person so insoff to vote or be elected at any election in any shire or stewartry; and that no person or persons, who have not been inrolled and voted at former elections, shall, upon any pretence whatsoever, be inrolled or admitted to vote at any election, except he or they first produce a sufficient right or title to qualify him or them to vote at that election, to the satisfaction of the freeholders formerly inrolled, or the majority of them present; and the returning officers are hereby ordained to make their returns of the persons elected by the majority of the freeholders inrolled, and those admitted by them, reserving always the liberty of objecting against the persons admitted to, or excluded from the roll, as formerly.

No insoff-
ment on any
redeemable
right (except
proper wad-
setts, &c.)
shall entitle to
vote or be e-
lected.

And persons
not enrolled
at former e-
lections, shall
not vote with-
out producing
a right.

IV. And be it further enacted by the authority aforesaid, That all sheriffs of shires, and stewarts of stewartries, shall be obliged, under the pain of fifty pounds sterling, one moiety whereof shall be to the Queen's most excellent majesty, her heirs and successors, and the other moiety to the person or persons who shall sue for the same, to be recovered before the court of session, by any action summarily, without abiding the course

Sheriffs, &c.
shall, on pe-
nalty of sol.
make publick
intimations
three days be-
fore the day
of election.

of the roll, to make the publick intimations required by the laws of *Scotland*, at the several parish churches within their respective jurisdictions, at least three days before the dyet of elections.

Saving the rights of heirs and husbands,

V. Provided always, That the right of apparent heirs in voting at elections by virtue of their predecessors infeoffments, and the right of husbands by virtue of their wives infeoffments, be and is hereby reserved to them, as formerly; any thing in this act contained to the contrary notwithstanding.

Any right whereon infeoffment is taken before 1 June 1713. shall entitle to vote for members of parliament.

VI. Provided also, That any conveyance of right, which by the laws of *Scotland* is sufficient to qualify any person to vote in the elections of members to serve in parliament for shires or shewtries, and whereupon infeoffment is taken, on or before the first day of *June* in the year of our Lord one thousand seven hundred and thirteen, shall entitle the person or persons so infeofft, to vote at the elections of members to serve in the next ensuing parliament; any thing herein contained to the contrary notwithstanding.

Husbands not to vote by virtue of their wives infeoffments, unless they are heiresses, &c.

VII. Provided always, and it is hereby declared to be the true intent and meaning of this act, That no husbands shall vote at any ensuing election by virtue of their wives infeoffments, who are not heiresses, or have not right to the property of the lands on account whereof such vote shall be claimed.

CAP. VII.

An act for the more effectual preventing and punishing robberies that shall be committed in houses.

After 1 July 1713. Persons stealing to the value of 40s. being in a dwelling-house, tho' such house, &c. be not broken, &c. and being thereof convicted, shall be debarred the benefit of clergy.

FORASMUCH as divers wicked and ill-disposed servants, and other persons, are encouraged to commit robberies in houses by the privilege, as the law now is, of demanding the benefit of their clergy; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all and every person or persons that shall, at any time, from and after the first day of *July* in the year one thousand seven hundred and thirteen, feloniously steal any money, goods or chattels, wares or merchandizes, of the value of forty shillings or more, being in any dwelling-house or outhouse thereunto belonging, altho' such house or out-house be not actually broken by such offender, and although the owner of such goods, or any other person or persons, be or be not in such house or out-house, or shall assist or aid any person or persons to commit any such offence, being thereof convicted or attainted by verdict or confession, or being indicted thereof shall stand mute, or will not directly answer to the indictment, or shall peremptorily challenge above the number of twenty returned to be of the jury, shall, by virtue of this act, be absolutely debarred of and from the benefit of clergy; any law or custom to the contrary notwithstanding.

II. Provided

II. Provided always, That nothing in this act shall extend Not to extend to apprentices under the age of fifteen years, who shall rob to apprentices under 15 years of age. their masters, as aforesaid.

III. And whereas there has been some doubt, whether the entering into the mansion-house of another, without breaking the same, with an intent to commit some felony, and breaking the said house in the night-time to get out, be burglary; be it declared and enacted by the authority aforesaid, That if any person shall enter into the mansion or dwelling-house of another, by day or by night, without breaking the same, with an intent to commit felony, or being in such house shall commit any felony, and shall in the night-time break the said house to get out of the same, such person is and shall be adjudged and taken to be guilty of burglary, and shall be ousted of the benefit of his and her clergy, in the same manner as if such person had broke and entered the said house in the night-time, with an intent to commit felony there, be burglary.

C A P. VIII.

An act for raising the militia for the year one thousand seven hundred and thirteen, although the month's pay formerly advanced be not repaid. E X P.

C A P. IX.

An act for continuing an act made in the third and fourth years of the reign of her present Majesty, intituled, An act for encouraging the importation of naval stores from her Majesty's plantations in America; and for encouraging the importation of naval stores from that part of Great Britain called Scotland, to that part of Great Britain called England.

WHEREAS an act was made in the third and fourth years of her present Majesty's reign, intituled, An act for encouraging the importation of naval stores from her Majesty's plantations in America; which hath been found to be very advantageous for furnishing with naval stores the royal navy and shipping of this kingdom, wherein, under God, the wealth, safety, and strength of this nation is so much concerned, and depends on the due supply of stores necessary for the same; which by a due encouragement may be had from her Majesty's colonies and plantations in America, which were at first settled, and are still maintained and protected at a great expence from this kingdom; and in regard the said colonies and plantations may (as they have done) commodiously afford great quantities of all sorts of naval stores, by continuing the encouragement given in the said act for importing the same into England: and whereas the said act is near expiring; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the said act made in the third and fourth years of her present Majesty's

3 & 4 Ann.
c. 10.

The act 3 & 4
Ann. c. 10.
continued for
11 years from
the expiration
thereof, &c.
The premium

for hemp-water
rolled is conti-
nued for 16
years by 8 Geo.
1. c. 1. f. 1.

jetty's reign, intituled, *An act for encouraging the importation of naval stores from her Majesty's plantations in America, and every part thereof, shall be and is hereby continued from the time of the expiration of the same; for and during the space and term of eleven years, and from thence to the end of the next session of parliament.*

Premiums for
bringing naval
stores from
Scotland, after
2 Sept. 1713.
For the encour-
agement rela-
ting hereto, see
a Geo. 2. c. 35.

II. *And whereas there are in several parts of North Britain, commonly called Scotland, great store of pine and fir-trees, fit for masts, and for the making of pitch, tar, rozin, and other naval stores; but the lands and woods which may yield such naval stores are mostly in parts mountainous and remote from navigable rivers; there-fore for the encouragement of the proprietors of such lands and woods, in the making the roads, passages, and rivers in those northern parts useful and commodious to the publick, as well as for conveying such naval stores to sea ports in North Britain, to be brought by sea to that part of Great Britain called England; be it enacted by the authority aforesaid, That every person or persons that shall, from and after the first day of September, one thousand seven hundred and thirteen, during the remainder of the time limited for the granting premiums to the importers of naval stores from America, by virtue of the said act, and of this present act, bring from North Britain aforesaid, into any port of South Britain aforesaid, in any ship or ships built in Great Britain, any trees fit for masts, yards, or bowsprights, or any pitch, tar, rozin, or turpentine, neat and in good and merchantable condition, shall have and receive, as a reward or premium for bringing such naval stores from North Britain to South Britain, after and according to the several rates for such naval stores, as follows; (viz.) For good and merchantable tar per ton, containing eight barrells, and each barrell to gage one and thirty gallons and an half, the sum of four pounds; for good and merchantable pitch per tun, each tun containing twenty gross hundreds (neat pitch) to be brought in eight barrells, the sum of four pounds; for good and merchantable rozin or turpentine per tun, each tun containing twenty gross hundreds (neat rozin or turpentine) to be brought in eight barrells, the sum of three pounds; for all masts, yards, and bowsprights per tun, allowing forty foot to each tun, girt measure, according to the customary way of measuring round bodies, the sum of twenty shillings: which several rewards or premiums shall likewise be paid and answered in good and lawful money of Great Britain, by the commissioners or principal officers of her Majesty's navy, who are hereby impowered and required to make out bill or bills to be paid in course for the same, upon certificate of the respective chief officer or officers of the customs in any port of South Britain, where such naval stores shall be imported; as aforesaid, such bill or bills to be made out and given to the person or persons importing the same, as aforesaid, within twenty days after the discharge or unlading of the ship or vessel, ships or vessels, in which such stores shall be imported, upon a certificate*

Tar 4l. per
tun.

Pitch 4l. per
tun.
Rozin 3l. per
tun.

Masts, &c. 20s.
per tun.

To be paid by
the officers of
the navy, on
certificate
from the cus-
tom officers
where landed.
For further pro-
visions concern-
ing such certi-
ficate, see
5 Geo. 1. c. 11.
7. 15. 17. and
8 Geo. 1. c. 12.
f. 4.

certificates or certificates to be produced to the chief officer or officers of the customs where such stores shall be imported; which certificates or certificates shall be under the hands and seals of the comptroller and collector of her Majesty's customs, and such naval officer as her Majesty shall think fit to appoint, or any two of them, residing at any such port or ports in *North Britain*, as her Majesty, under the great seal of *Great Britain*, shall think fit to appoint, where such naval stores shall be embarked or shipped, in order for importing the same into any port of *South Britain*. That before the departure of such ship or vessel, ships or vessels, the persons, traders or factors concerned or employed in the preparing or manufacturing such naval stores, or any two of them, had made affidavit in writing before such comptroller and collector of her Majesty's customs in *North Britain*, and such naval officer as her Majesty shall think fit to appoint, or any two of them, That such naval stores so brought to such port of *North Britain*, were truly, and bona fide, of the growth and produce of *North Britain* aforesaid; in which affidavit the particular quantities and qualities of such naval stores, together with the time when such naval stores were prepared and manufactured, the names of the proprietors thereof, and the place or places where the same grew, were prepared and manufactured, shall be fully and plainly specified and contained; which affidavits the said comptroller and collector of her Majesty's customs in *North Britain*, and such naval officer as her Majesty shall think fit to appoint, or any two of them, are hereby empowered to take, and to administer such oath, as aforesaid, and the same affidavits to keep in their custody, and in which certificate a true copy of such affidavit shall be inserted; as likewise upon oath, to be made within any port in *South Britain*, by the master or masters of such ship or vessel, ships or vessels importing such naval stores, That the same were truly laden on board such ship or vessel, ships or vessels, within *North Britain*, aforesaid, and that he or they know or believe that the said naval stores were of the growth of *North Britain* aforesaid.

And on certificate from the comptroller of the customs, &c. in *North Britain* where such stores shall be embarked, that such naval stores were of the growth of *Scotland*, &c.

III. Provided always, That the preemption or refusal of such *North British* naval stores, be offered and tendred to the commissioners of her Majesty's navy upon landing the same, and if within the term of twenty days after such tender, the said commissioners shall not contract or bargain for the same, It shall and may be lawful for the importer or importers, owner or owners of the said *North British* naval stores, otherwise to dispose of the same.

The preemption to be tendred to the commissioners of the navy.

IV. And for the better preventing any fraudulent importation of foreign naval stores (not being of the growth and produce of *North Britain*) to *South Britain*, in order to get the rewards or premiums hereby granted for *North British* naval stores; be it enacted by the authority aforesaid, That if any person or persons shall, during the continuance of the said former

Making a false oath, or counterfeiting certificate, &c. to suffer the penalties of wilful perjury, and forfeit 100l.

Comptroller, &c. making false certificate, liable to the penalties in 13 & 14 Car. 2. cap. 11.

Master, &c. importing foreign stores, as of the growth of Scotland, to forfeit 100l. as also the ship, &c.

mer act, and of this present act, falsely make affidavit of, and swear to the growth of any naval stores not being of the produce of *North Britain*, or shall counterfeit any such affidavit or certificate, as herein is before described, in order to get any the premiums hereby granted for *North British* naval stores, such person or persons shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and every such person and persons committing such offences, shall also forfeit the sum of one hundred pounds, one moiety thereof to the Queen's most excellent majesty, her heirs and successors, and the other moiety thereof to any person or persons that will sue for the same, in any court of record of *Great Britain*, wherein no essoin, protection, or wager of law, or more than one imparlance shall be allowed; and if any comptroller, collector, or naval officer, shall make any false certificate contrary to the true meaning of this act, such comptroller, collector, or naval officer, and every of them, so offending, shall incur the same pains and penalties, as any officer of any port for the like offence is liable to, in making a false certificate for goods and merchandizes, by an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, [intituled, *An act for preventing frauds, and regulating abuses in his Majesty's customs.*]

V. And be it further enacted by the authority aforesaid, That if any master or owner of any ship or vessel shall fraudulently import or receive in such ship or vessel, to be imported into *South Britain*, any naval stores, not being of the growth of *North Britain*, as naval stores of the growth of *North Britain*, knowing the same to be foreign naval stores, and shall demand, or receive for such foreign naval stores, any the rewards or premiums hereby granted for *North British* naval stores, such master or owner shall forfeit the sum of one hundred pounds, to be sued for, and recovered, in like manner, as aforesaid, and the ship or vessel in which such foreign naval stores shall be so fraudulently imported, with all her guns, tackle, apparel, and furniture, shall be forfeited to the Queen's majesty, her heirs and successors.

CAP. X.

An act for continuing the acts therein mentioned, for preventing theft and rapine upon the Northern borders of England.

13 & 14 Car. 2. c. 22.

18 Car. 2. c. 3.

29 & 30 Car. 2. c. 2.

WHEREAS in the session of parliament holden in the thirteenth and fourteenth years of the reign of our late sovereign King Charles the Second, an act was made, intituled, *An act for preventing theft and rapine upon the Northern borders of England; which was thereby to continue in force for and during the term of five years: and whereas another act was made in the eighteenth year of the said late King, intituled, An act to continue a former act to prevent theft and rapine upon the Northern borders of England; both which acts were revived and continued by another act made in the twenty-ninth and thirtieth years of the reign of the said late King, intituled, An act for continuing two former acts, for preventing of theft and rapine upon the Northern borders of* England,

England, for and during the space and term of seven years, and also from thence until the end of the first session of the then next parliament; which three aforementioned acts, by an act made in the first year of the reign of King James the Second, intituled, An act for continuance of three former acts, for preventing of theft and rapine upon the Northern borders of England, were continued for 1 Jac. 2. c. 14. and during the space and term of eleven years, and from thence unto the end of the first session of the then next parliament; and were further continued by an act made in the seventh and eighth years of the reign of the late King William the Third, intituled, An act to continue four former acts for preventing theft and rapine upon the Northern borders of England, for and during the space and term of five years, and from thence unto the end of the first session of the next parliament; all which acts and every of them, by an act made in the twelfth and thirteenth years of the said late King William, intituled, An act for continuing the acts therein mentioned, for 7 & 8 W. 3. c. 17. preventing theft and rapine upon the Northern borders of England; and all and every matter, clause and clauses therein contained, and all and every the powers and authorities thereby given, were enacted to continue and be in full force from and after the expiration of the therein last mentioned act, for and during the space and term of eleven years, and from thence to the end of the first session of the next parliament: and it was also by the last herein mentioned act provided and enacted, That the said acts shall be accepted, taken and reputed to be general and publick acts of parliament, of which all and every the judges and judges of this kingdom, in all courts, shall take notice on all occasions whatsoever, as if they were publick acts of parliament relating to the whole kingdom: all which acts have been found necessary for the preservation of those places from that great number of lewd and disorderly persons that usually frequented and infested those parts, and are now near expiring; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all the said acts, and every of them, and all and every matter, clause and clauses in them or any of them contained, and all and every the powers and authorities thereby given, shall continue and be in full force from and after the expiration of the said act, made in the twelfth and thirteenth years of the said late King William, for and during the space and term of eleven years, and from thence to the end of the first session of the next parliament, and no longer. Farther continued by 24 Geo. 2. c. 57. to 1 Sept. 1757. See 6 Geo. 2. c. 37.

CAP. XI.

An act to raise twelve hundred thousand pounds for publick uses, by circulating a further sum in Exchequer bills; and for enabling her Majesty to raise five hundred thousand pounds on the revenues appointed for uses of her civil government, to be applied for or towards payment of such debts and arrears owing to her servants, tradesmen, and others, as are therein mentioned.

Preamble reciting the acts 7 Ann. c. 7. relating to Exchequer bills.

MAY it please your most excellent Majesty, Whereas in pursuance of an act of parliament made in the seventh year of your Majesty's reign (amongst other things) for enlarging the capital stock of the bank of England, several bills commonly called Exchequer bills, were made forth, amounting in principal money to two millions and five hundred thousand pounds, for your Majesty's supply; and in pursuance of another act of the same session of parliament made (amongst other things) for circulating a further sum in Exchequer bills; and of an act made in the eighth year of your Majesty's reign, intituled, An act for granting an aid to her Majesty to be raised by a land-tax in Great Britain, for the service of the year one thousand seven hundred and ten, further Exchequer bills, to the amount of four hundred thousand pounds in principal money, have also been issued for your Majesty's supply: and whereas provision was made in the acts before mentioned, That the said bills should bear an interest of two pence per cent. per diem, when they respectively should not be in the publick receipts; and that the governor and company of the bank of England, for circulating the said bills (by exchanging such of them for ready money as should, from time to time, have passed through your Majesty's revenue or taxes, and also through the Exchequer in the manner therein mentioned) should have an allowance after the rate of three pounds per cent. per ann. for the whole sum of the said bills, amounting to two millions and nine hundred thousand pounds: and whereas in and by the said act of the seventh year of your Majesty's reign, certain duties were granted, continued, or made payable to your Majesty, your heirs and successors, for ever (subject to such redemption as is therein expressed) that is to say, the duties called the two thirds of a subsidy of tonnage and poundage therein mentioned, which were to take effect by that act, from the seventh day of March one thousand seven hundred and eleven, certain duties upon coffee, cocoa nuts, chocolate, cocoa paste, tea, nutmegs, cinnamon, cloves, mace, pictures and wassins, and certain increased duties upon coffee, cocoa nuts, chocolate, cocoa paste, tea, nutmegs, cinnamon, cloves, mace, and pictures, and certain further rates or duties upon all white callicoes, porcelain, commonly called China ware, and drugs; all which are to take effect by the act last mentioned, from the twenty-third day of June one thousand seven hundred and fourteen; and one half of another subsidy of tonnage and poundage therein mentioned, which is to take effect from and after the last day of July one thousand seven hundred and fourteen; and all the said duties so granted, continued, or made

7 Ann. c. 7.

made payable, together with the surplus which should, from time to time, arise of or from the other half of the same subsidy of tonnage and portage (over and above eighty thousand pounds per ann. formerly charged thereupon for payment of annuities) and divers arrears and other sums of money or revenues more largely described in the said act of the seventh year of your Majesty's reign, are thereby, and by the other acts abovementioned, or some of them, made a general fund or security for paying the said interest which was to be born on the said bills, and the said allowance after the rate of three pounds per cent. per ann. and for or towards raising a yearly sum of two hundred thousand pounds for paying off and cancelling the said bills; and by the aforesaid acts or some of them, it was provided, that quarterly at the four usual feasts of the year, until the said duties should take effect, and be sufficient for payment of the said interest and allowance, there should be a computation made of the sum which on every of the said feast days should be due and owing (over and above so much as should have been applied of the said duties to those purposes) for the said interest and allowance, and that other Exchequer bills should be made out for so much as should be so computed to be due, bearing the like interest, and for circulating whereof the said governor and company were to have the like allowance of three pounds per cent. per ann. and the quarterly bills so made forth until and for the quarter ended at Lady-day one thousand seven hundred and thirteen, have amounted to the further sum of four hundred and eighty thousand three hundred and twelve pounds, and ten shillings, or thereabouts, and more quarterly bills of the like nature may farther be issuable on the said former acts: and by the same acts, or some of them, it was declared and enacted, That out of the remainder of the said duties and revenues, when and as the same should respectively take effect (regard being first had to the said payments for interest and circulation, which are always to be preferred) the full sum of two hundred thousand pounds, or so much thereof as the said remainder would from time to time extend unto, should be appropriated for paying off all the principal money which should be contained in the said bills, and for cancelling the same, until all the said bills should be discharged and cancelled: and whereas by an act made and passed in the ninth year of your Majesty's reign, for enabling and obliging the bank of England to exchange all Exchequer bills for ready money upon demand, it was enacted, That the full sum of forty-five thousand pounds per ann. should be paid to and for the use of the said governor and company, and their successors, by quarterly payments, and by such ways and means, and in such manner and form, as in that act are prescribed, until such time as all the said quarterly Exchequer bills made or to be made for interest or allowance, as aforesaid, together with a million of the said bills for two millions nine hundred thousand pounds shall be paid off and cancelled, or until such time as there shall not be standing out and uncanceled more than one million and nine hundred thousand pounds in the whole of the said bills for two millions and nine hundred thousand pounds; and quarterly bills taken together (which of the limitations aforesaid shall first happen) as by the said several acts, relation being thereunto respectively had, may more fully appear: and whereas the said governor and

Recital of
2 Ann. c. 7.

and company of the bank of England are willing (for the publick service) to undertake the circulation of the further sum of twelve hundred thousand pounds in other Exchequer bills to be issued for your Majesty's supply, and of such quarterly bills for interest and other allowances, as shall and may be made forth in pursuance of this present act, so as the said governor and company may have such encouragements, and such terms and advantages as are hereafter in this act expressed: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do humbly beseech your Majesty that it may be enacted, and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, That it shall and may be lawful to and for the lord high treasurer of Great Britain, or any three or more of the commissioners of the treasury for the time being, to cause bills to be made forth at the receipt of the Exchequer, in such manner and form as he or they shall appoint, for any sum or sums of money, not exceeding in principal money the sum of one million two hundred thousand pounds, for her Majesty's supply (over and above the bills made forth, or to be made forth, by or in pursuance of the said former acts, or any of them) and to issue the said bills for the said sums, not exceeding one million two hundred thousand pounds, for such publick uses and services, whereunto the same are or shall be appropriated, or applicable, in such proportions as the said lord treasurer, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, direct and appoint.

Treasury may
issue out
1200000 l. in
Exchequer
bills.

Bills to bear
interest at 3 d.
per cent. per
diem to the
bearer,

and to the
bank 3 l. per
centum per
annum.

II. And it is hereby enacted by the authority aforesaid, That the bills for the said sums, not exceeding one million two hundred thousand pounds, and also such bills as are to be issued quarterly in the manner and form herein after mentioned, shall severally bear an interest after the rate of two pence *per centum per diem*, to be payable to the bearers thereof respectively; which interest is nevertheless to be abated and saved upon such of the said bills as shall at any time or times be in the receipt of Exchequer, or in the hands or power of any receivers or collectors of any taxes, aids, or revenues payable to her Majesty, her heirs or successors, during such time and times respectively, as such bills shall be or remain in the said receipt, or in such hands or power, as aforesaid; and that the said governor and company, and their successors, shall have, receive, and enjoy, to their own use and behoof, an allowance after the rate of three pounds *per centum per annum*, upon all the said bills for the said sum not exceeding one million two hundred thousand pounds, and also upon the quarterly bills last mentioned: nevertheless it is hereby declared, That the said allowances of three pounds *per centum per annum*, for circulating the said bills so to be made forth, shall commence and take effect only in proportion as the same shall be issued at the Exchequer, and shall proportionally be abated,

cease,

ceak, and determine, as the said bills, or any of them, shall hereafter come to be discharged and cancelled.

III. And for better enabling the governor and company of the bank of *England*, and their successors, to circulate all the Exchequer bills made forth, and to be made forth upon this and the said former acts, by exchanging the same, from time to time, for ready money upon demand, be it further enacted by the authority aforesaid, That the full and entire yearly sum of eight thousand pounds of lawful money of *Great Britain* (over and above the yearly sum of forty five thousand pounds, mentioned in the said recited act of the ninth year of her Majesty's reign) shall be well and truly paid and satisfied, unto and for the use of the said governor and company, and their successors, without any account, implest, or other charge to be set upon them for the same, or any part thereof, and without any abatement for taxes, or other cause or occasion whatsoever; and that the said yearly sum of eight thousand pounds, shall commence and take effect from the thirty first day of *July*, one thousand seven hundred and thirteen, and be paid and satisfied to the said governor and company, and their successors, by quarterly payments, that is to say, on the one and thirtieth day of *October*, the one and thirtieth day of *January*, the thirtieth day of *April*, and the one and thirtieth day of *July* yearly, by even and equal portions; the first payment thereof to be due on the one and thirtieth day of *October*, one thousand seven hundred and thirteen.

8000l. (above the 45000l. of 9 Annæ to be paid to the bank yearly,

to commence 31 July, 1713. and paid quarterly.

IV. And it is hereby enacted, That the said yearly sum of eight thousand pounds, together with the yearly sum of forty five thousand pounds, mentioned in the said recited act of the ninth year of her Majesty's reign, shall continue and be paid and payable unto the said governor and company, and their successors, until such time as no more than nineteen hundred thousand pounds, of all the said bills issued and to be issued for the said sums, not exceeding two millions five hundred thousand pounds, four hundred thousand pounds, and one million two hundred thousand pounds; and of all quarterly bills issued, or to be issued in pursuance of this or the said former acts, taken all together, shall be standing out uncanceled in the whole.

To be paid till no more than 1900000l. stand out uncanceled.

V. And it is hereby further enacted by the authority aforesaid, That the several subsidies, duties, surplus monies, remains and arrears, which were granted or appropriated by the said act of the seventh year of her Majesty's reign, and comprehended in the general fund or security by that act established, shall be a fund and security, as well for satisfying and paying, from time to time, all the monies which shall be due or payable for interest, after the rate of two pence *per centum per diem*, and for the said allowance of three pounds *per centum per annum*, for all the bills made out, or to be made out upon this or the said former acts; and all the monies which shall grow due upon the said yearly sums of forty five thousand pounds, and eight thousand pounds (so much of the said yearly sum of forty five thousand pounds, as shall grow due on or before the thirty first day of *July*, one thousand

Subsidies, duties, &c. 7 Annæ, shall be the general fund and security.

thousand seven hundred and fourteen, for which other provisions have been made, being only and always excepted) as also for or towards raising such a yearly sum as is herein after mentioned, for paying off and cancelling all the said bills issued or to be issued, as aforesaid, in such order, manner and form as are herein after prescribed; and that such of the said subsidies, duties, surplus monies, remains, and arrears, as are already commenced or arisen, and the residue thereof, as they shall arise and take effect, shall be and are by this act appropriated, and shall be applied thereunto accordingly; any other act or acts of parliament, or other matter or thing whatsoever to the contrary in any wise notwithstanding.

The 3l. per cent. to be paid weekly.

VI. And it is hereby declared and enacted by the authority aforesaid, That the said allowances after the rate of three pounds *per centum per annum*, for circulating the said bills upon this and the said former acts, shall, from time to time, be paid and satisfied at the receipt of her Majesty's Exchequer, to the said governor and company, and their successors, weekly, or as soon as the same can be satisfied out of the monies arising by the said duties and revenues already commenced, or hereafter to commence or take place, as aforesaid, or by any of them, or so far as the monies coming in from those duties or revenues, or any of them, will, from time to time, extend thereunto, so as by such weekly or other payments, the whole of the said allowances, after the rate of three pounds *per centum per annum*, due to the said governor and company, and their successors, at the end of each quarter (reckoning the quarters to terminate at the four most usual feasts of the year respectively) be not exceeded; and that the lord treasurer, or any three or more of the commissioners of the treasury, for the time being, shall, and he, and they are hereby impowered and directed, out of the monies arising by the said duties and revenues already commenced, or hereafter to commence or take place, as aforesaid, or by any of them, to issue to such person or persons, as he or they shall think fit to intrust in that behalf, and upon security to be given to his or their good liking, such sum or sums of money, by way of imprest, and upon account, from time to time, and by such proportions at a time, as he or they shall find necessary for discharging all the interest, after the rate of two pence *per centum per diem*, which shall be due or demandable upon the said bills made forth, and to be made forth, upon this or the said former acts, or any of them, or so much of the said interest as the money coming in, by or for the said duties and revenues, or any of them, will extend to satisfy; the said interest to be discharged at such time, and in such manner and form, as by the said former acts, or any of them, was prescribed, for discharging the interest of the bills thereby authorized to be issued.

Treasury to direct imprest money for discharging interest on exchequer bills.

After paying the interest of 3 d. per cent. per diem, and

VII. And be it further enacted by the authority aforesaid, That after paying or reserving sufficient to pay or satisfy, from time to time, so much as shall be grown due or demandable for the said interest of two pence *per centum per diem*, and allowance of three

three

three pounds *per centum per annum*, then the monies which, from time to time, shall be grown due to the said governor and company, and their successors, upon their other allowances before mentioned, That is to say, upon the said yearly sum of eight thousand pounds, from and after the said one and thirtieth day of *July*, one thousand seven hundred and thirteen; and upon the said yearly sum of forty five thousand pounds, after the said one and thirtieth day of *July*, one thousand seven hundred and fourteen, shall quarterly, at the respective days and times before appointed for payment thereof, be paid and satisfied to the said governor and company, and their successors, at the receipt of her Majesty's Exchequer weekly, or as soon as the same can be satisfied out of the monies arising by the said duties and revenues already commenced, or hereafter to commence and take place, as aforesaid, or so far as the monies coming in from those duties or revenues, or any of them, will, from time to time, extend thereunto, so as by such weekly or other payments the sums to be due to the said governor and company, and their successors, upon their allowances last mentioned, at the end of each quarterly day of payment thereof, be not exceeded: it being the true intent and meaning of this act, That the said allowances after the rate of three pounds *per centum per annum*, and the said payments for interest, shall, from time to time, take place and be preferred in point of payment out of the said fund, before the said yearly sums of eight thousand pounds, and forty five thousand pounds *per annum*, or either of them; and that the said yearly sums of eight thousand pounds, and forty five thousand pounds *per annum*, (as the same are respectively to commence and be charged on the same fund, as aforesaid) shall, from time to time, take place and be preferred in point of payment before the yearly sum herein after mentioned, for cancelling and discharging the said Exchequer bills; The said former acts, or any of them, or any thing therein contained, or any other law or statute whatsoever, to the contrary notwithstanding.

VIII. Provided always, and be it enacted by the authority aforesaid, That after paying, or reserving sufficient to pay so much as shall, from time to time, be incurred and grown due for or upon the said interest after the rate of two pence *per centum per diem*, and the said several allowances after the rate of three pounds *per centum per annum*, and eight thousand pounds *per annum*, and forty five thousand pounds *per annum*, which are always to be preferred, as aforesaid, the full and entire yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds and seven shillings (in which the above said yearly sum of two hundred thousand pounds, is and shall always be understood to be comprehended and included) or so much of the said yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds and seven shillings, as the remainder of the said fund, shall, from time to time, produce for that purpose, shall be and is by this act appropriated for paying off all the principal money contained or to be contained in all and

allowance of
3l. per cent.
per ann. the
monies grown
due on the
8000l. and
45000l. per
ann. shall
quarterly be
paid to the
bank, &c.

Remainder appropriated for paying off and discharging Exchequer bills.

See 1 Geo. 1. stat. 2. c. 12. sect. 15.

every the Exchequer bills made forth and to be made forth, by or in pursuance of this and the said former acts, or any of them, and for cancelling the same, until all the said bills shall be discharged and cancelled, and shall be issued and applied to and for that use and purpose, in such manner as the lord treasurer, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, direct and appoint in that behalf; and that the issues thereof shall be made weekly, or as fast as the fund hereby established shall produce money into the Exchequer for the same, so as by such weekly or other payments in any quarter, the fourth part of the yearly sum last mentioned for that quarter be not exceeded.

IX. And for making good as well the said interest after the rate of two pence *per centum per diem*, and the said allowances after the rate of three pounds *per centum per annum*, upon all the bills issued and to be issued, as aforesaid, as also the said yearly sum of eight thousand pounds, until the said subsidies, duties, surplus monies, remains, and arrears, composing the said general fund and security, by this, and the said former acts intended to be established, or so many of them as shall be sufficient for those purposes, shall have taken effect; be it enacted by the authority aforesaid, That the lord high treasurer of Great Britain, or any three or more of the commissioners of the treasury for the time being, shall, and he and they are hereby required and empowered, upon every of the four usual quarterly feast days of the year which shall happen, until the said fund or security shall be sufficient for paying and satisfying the said interest of two pence *per centum per diem*, and the said allowance of three pounds *per centum per annum*, as aforesaid, to compute, or cause to be computed, the sum, which, on every of the said feast days, shall be due and owing (if any such then be, over and above so much as shall have been applied to those purposes, of the said subsidies, duties, and sums of money last mentioned) upon and for the said interest, after the rate of two pence *per centum per diem*, and allowance after the rate of three pounds *per centum per annum*, upon all the bills issued or to be issued according to the tenor and true meaning of this and the said former acts; and shall upon every of the four quarterly days by this act appointed for payment of the said yearly sum of eight thousand pounds, compute or cause to be computed, the sum which on every of those quarter days shall be due and owing (if any such then be, over and above so much as shall have been applied for payment thereof out of the subsidies, duties, and sums of money aforesaid) upon or for the said yearly sum of eight thousand pounds, according to the tenor and true meaning of this act; and the said lord treasurer, or three or more of the commissioners of the treasury for the time being, shall make out, or cause to be made out other Exchequer bills, for so much as shall be so computed to be due (if any such then be) on every such feast or other quarter day, for such interest, and for such allowance of three pounds *per centum per annum*, and for the said yearly sum

Till the fund established takes effect, treasury to compute quarterly the interest due and owing, &c.

And to make out other bills for so much as shall be due, with like interest and currency, &c.

sum of eight thousand pounds respectively; which other bills shall bear the like interest of two pence *per centum per diem*, and the said governor and company shall have the like allowance, after the rate of three pounds *per centum per annum* for circulating thereof; and that the said quarterly bills to make good the said allowances, after the rate of three pounds *per centum per annum*, and the said yearly sum of eight thousand pounds, until such time, as aforesaid, shall be dated on the respective quarter days to which the same allowances and yearly sum respectively, shall be computed, and be issued and paid to the said governor and company of the bank of *England*, and their successors, in satisfaction and discharge of so much of the said allowances after the rate of three pounds *per centum per annum*, and of the said yearly sum of eight thousand pounds, to be paid them in pursuance of this act; and the said quarterly bills intended to make good the said interest after the rate of two pence *per centum per diem*, shall be issued at her Majesty's Exchequer, for paying off and discharging, or to raise money for paying off and discharging all the interest which shall be due upon all and every or any the bills made forth, or to be made forth, in pursuance of this or the said former acts, or any of them, until such time, as aforesaid.

X. Provided always, and it is hereby enacted, That in case the produce of all the said subsidies, duties, and revenues, appropriated for the several purposes aforesaid, shall at any time or times appear to be so deficient, that within any one year, the said respective subsidies, duties, and revenues, after all of them shall or ought to have taken effect, shall not be sufficient to answer and satisfy the several and respective purposes to which the same are by the said former acts, and this present act, or any of them, appropriated or intended to be applied, then and in every such case, and as often as such deficiency shall happen, the same shall be provided for, answered, and made good, by and out of the next aids to be granted in parliament.

Deficiency to be made good by parliament.

XI. Provided also, and it is hereby enacted by the authority aforesaid, That if the produce of the said subsidies, duties, and revenues, appropriated, as aforesaid, shall at the end of any quarter of a year (reckoning from *Lady-day*, one thousand seven hundred and thirteen) exceed the money due at the end of every such quarter, for all the purposes aforesaid, so that there shall be an excess or surplus of the said funds, such excess or surplus shall be disposable, from time to time, for the publick use and service, by the authority of parliament, and not otherwise; any thing herein, or in any other act or acts of parliament contained to the contrary notwithstanding.

Surplus disposable by parliament.

XII. And be it enacted by the authority aforesaid, That all the said bills, which shall be issued for the said sums not exceeding one million two hundred thousand pounds, and the said quarterly bills to be issued in pursuance of this act, shall be received and taken, and be current in like manner, and with such privileges and advantages, and subject to such rules and directions, as are prescribed by the said former acts, or any of them,

These bills shall be subject to the rules, &c. of the former acts, &c.

for any of the bills thereby authorized to be issued; and that the said governor and company, or any of the members thereof, shall not incur any disability for circulating the same, or for or by reason of their doing any matter or thing in pursuance of this act.

The powers, &c. of the former acts, relating to Exchequer bills, to be in force.

XIII. And be it further enacted by the authority aforesaid, That the said former acts above recited or mentioned, and all the powers, authorities, privileges, and advantages, rules, directions, pains of death, and other penalties and forfeitures; clauses, matters, and things therein contained (being now in force) touching or concerning the said Exchequer bills issued in pursuance thereof, or any of them, or touching or concerning any the subsidies, duties, or funds therein mentioned, or any way relating thereunto (such alterations as are therein made by this act only excepted) shall continue and be used, exercised, inflicted, raised, levied, applied, and put in practice and execution, in relation to all and every the Exchequer bills issued or to be issued upon the said former acts, or any of them, or upon this present act, and in relation to the said subsidies, duties, and funds, and every of them, as fully as if the said powers, authorities, privileges, advantages, rules, directions, pains of death, and other penalties and forfeitures, clauses, matters, and things (except as aforesaid) were again repeated and re-enacted in the body of this present act; any thing herein contained to the contrary notwithstanding.

Yearly sums allowance, and interest, tax-free.

XIV. And it is hereby declared, That the said yearly sums of eight thousand pounds, and forty five thousand pounds, and the said allowance after the rate of three pounds *per centum per annum*, and interest after the rate of two pence *per centum per diem*, and the said bills to become due by this or any former act, or any part thereof, shall not be liable to any tax or assessment whatsoever.

Bank obliged to exchange for ready money all Exchequer bills:

XV. And be it enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, (in consideration of the said allowances and yearly sums hereby enacted to be paid to them, as aforesaid) do and shall, and they are hereby obliged and required, until all the Exchequer bills made forth, or to be made forth, by or in pursuance of this and the said former acts, or any of them, shall be discharged and cancelled, to exchange for ready money all such of the said Exchequer bills, as from time to time, and at all times, shall be in the hands of any person or persons, and be demanded of the said governor and company to be exchanged for ready money, whether such bills, or any of them, shall or shall not have passed or had a currency in her Majesty's revenue or taxes, by paying unto all such person and persons, in ready money, the sum or sums for which such bill or bills so required to be exchanged, were issued, or which the owner or owners of such bills shall be entituled unto by such bill or bills respectively, together with the interest that shall, at the time of such demand, be due on such bill or bills respectively, and so *toties quoties* as often

often as such bill or bills shall be demanded, as aforesaid; any clause, matter, or thing in the said former acts, or any of them, contained to the contrary notwithstanding: and in case the said governor or company, or their successors, or their cashier, shall neglect or refuse to exchange any such bill or bills for ready money, as aforesaid, contrary to the true intent and meaning of this present act, upon demand thereof made at their chief office, which (during the currency of the bills before mentioned, or any of them) shall be kept at some place within the city of *London*, by the space of twenty four hours, then the person or persons demanding the same, or the person or persons for whose account such demand shall be made, shall and may, and are hereby enabled to bring his, her, or their action of debt, or upon the case for the same, against the said governor and company, or their successors, in which action the person or persons so bringing the same, shall and may declare, That the said governor and company are indebted to the plaintiff or plaintiffs therein, the money demanded upon the said bill or bills, according to the form of the statute, and have not paid the same, which shall be sufficient; and the plaintiff or plaintiffs in such action or actions, shall recover against the said governor and company, not only the monies so neglected or refused to be paid, but also damages, besides full costs of suit; and the said governor and company, and their successors, shall be, and are hereby subject and liable thereunto; in which said action or actions, no essoin, protection, or wager of law shall be allowed, or any more than one imparlance.

XVI. And for the better enabling the said governor and company of the bank of *England*, and their successors, to exchange, upon demand, the said Exchequer bills according to this act, it is hereby enacted by the authority aforesaid, That they the said governor and company, and their successors, at any time or times from and after the passing of this act, during the currency of the said bills, or any of them, shall have full power and authority, and they are hereby authorized, at their own good liking, to contract and agree, in such manner as they shall think fit, with any persons, natives, or foreigners, bodies politick or corporate (with whose abilities they shall be well satisfied) for and concerning the furnishing of monies, from time to time, by such persons or corporations, to the said governor and company, and their successors, on such terms, and under such penalties and forfeitures, as they shall find necessary for the better enabling them to exchange all the said bills upon demand, and to perform this undertaking; which contracts or agreements, on the part of the said governor and company, are to be performed and made good at their own charge.

XVII. And it is hereby declared, That such contracts in writing made, be made without being stamped, and shall not be chargeable with any duties on stamp vellum, parchment or paper, or any penalty or forfeiture incurred for not stamping the same; and the said governor and company of the bank of *England*, Such contracts not chargeable with the stamp duties.

Further sealed bills may be issued to the amount of the contracts.

Bank may call in money from their members, for circulating, &c.

Monies so called in may be made part of the capital stock.

All rules, &c. relating to the capital stock, to be extended to the same so enlarged.

Bank continued till all the Exchequer bills be discharged.

land, and their successors, have hereby power, from time to time, to issue out bank bills under their common seal, not exceeding in principal the amount of the sums of money which shall be called in by them, or paid, from time to time, upon such contracts or agreements, as aforesaid, (over and above the sum which they have already liberty to issue in such bank bill or bills, by any former act or acts of parliament in that behalf;) any law or statute whatsoever to the contrary notwithstanding.

XVIII. And be it enacted by the authority aforesaid, That it shall and may be lawful for the said governor and company of the bank of *England*, and their successors, for the better circulating the Exchequer bills to be made out in pursuance of this act, or other their necessary occasions, to call in, or direct to be paid unto the said governor and company, and their successors, from and by the respective members of the said company for the time being proportionally, according to their respective interests in the fund or capital stock of the said governor and company, any sum or sums of money, which the said governor and company in a general court, from time to time, shall think necessary for the said circulation, or such other necessary occasions, and shall accordingly order to be called in; which monies shall be called in upon such notices, and in such manner, and shall be answered and paid by the members under such penalties as are directed and prescribed by any other act or acts of parliament for any other monies thereby authorized to be called in by the said governor and company in pursuance thereof; and that all executors, administrators, guardians and trustees, shall be indemnified in paying the same; and that it shall be lawful for the said governor and company, from time to time, in a general court, to declare, order, and make the said money so called in, or ordered to be called in, as aforesaid, or any part thereof, and from such time or times as such general court shall order and direct, to be added to the capital stock of the said governor and company; and that then, and from thenceforth, such monies shall be deemed and taken, to all intents and purposes, as and for part of the capital stock of the said governor and company, and the capital stock of the said governor and company shall be proportionably enlarged thereby; any thing in the said last mentioned act, or any other law, statute, or provision to the contrary thereof in any wise notwithstanding.

XIX. And be it enacted, That all and every the privileges, exemptions and advantages, and also all the rules, restrictions and directions, and other matters and things contained in any former act or acts of parliament now in force, concerning the capital stock of the said governor and company, shall be extended to their capital stock so to be enlarged or increased, as aforesaid.

XX. And it is hereby enacted and declared, That the governor and company of the bank of *England*, and their successors, shall continue a corporation, with all the powers, privileges and advantages thereunto belonging, until all the said Exchequer bills, issued, and to be issued by virtue of the said other acts, or any

any of them, and by virtue of this present act, shall be discharged and cancelled; any thing in this or the said other acts contained to the contrary notwithstanding.

XXI. Provided always, and it is hereby further enacted, That from and after the complete paying off, and discharging all the principal and interest, which shall be due on all the said Exchequer bills, issued and to be issued in pursuance of this and the said other acts, and cancelling all the same bills, and full satisfaction made of all arrearages (if any shall be then due) as well of or upon the said allowance after the rate of three pounds *per centum per annum*, as also of or upon the said yearly sums of forty five thousand pounds, and eight thousand pounds, or either of them; then and not till then, the several subsidies, duties, and revenues, by this and the said other acts, or any of them, settled or appropriated, as well for payment of the said interest of two pence *per centum per diem*, and the said allowance after the rate of three pounds *per centum per annum*, and the said yearly sums of forty five thousand pounds, and eight thousand pounds, as also for raising the said yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds, and seven shillings, and every of them, shall be understood to be redeemed by parliament, and shall not be issued, paid or applied to any use, intent or purpose whatsoever, without the authority of parliament.

After all the bills, &c. are discharged, the several subsidies, &c. shall be understood to be redeemed by parliament.

XXII. And it is hereby declared to be the true intent and meaning of this act, That the same subsidies, duties, and revenues, so settled and appropriated in relation to the said Exchequer bills, may be redeemed from the said governor and company, and their successors, in the manner and form prescribed in the foregoing proviso or condition, without redeeming any other the funds or securities by the said act of the seventh year of her Majesty's reign, or by any other of the said acts relating therunto, settled or made payable to the said governor and company, and their successors; any thing herein, or in any other act or acts of parliament contained, or any other matter or thing whatsoever, to the contrary thereof in any wise notwithstanding.

The said subsidies, &c. may be redeemed, without redeeming the other funds.

XXIII. And whereas by the said act made in the seventh year of her Majesty's reign, it was declared and enacted, That the said governor and company of the bank of England, and their successors, for ever, should continue and be one body corporate and politick, and should for ever have, receive and enjoy the intire yearly fund of one hundred thousand pounds therein mentioned, out of certain rates and duties of excise therein described, and such abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, as are therein expressed, subject nevertheless to a power and condition of redemption, in that act contained in that behalf: and it was thereby provided and enacted, That at any time upon twelve months notice after the first day of August, which should be in the year of our Lord one thousand seven hundred and thirty-two, and not before, and upon repayment by parliament to the said governor and company of the bank of England, or their successors, of the several sums, w-

Annæ, c. 7.

mounting to sixteen hundred thousand pounds, therein mentioned, without any deduction, discount, or abatement whatsoever, to be made out of the said sum of sixteen hundred thousand pounds, or any part thereof, and upon payment to the said governor and company, and their successors, of all arrears of the said one hundred thousand pounds per annum, and all the principal and interest money, which should be owing unto them upon all such tallies, Exchequer-orders, or parliamentary funds, which the said governor and company, or their successors, should have remaining in their hands, or be entitled to, at the time of such notice to be given, as aforesaid, (such funds, for redemption whereof other provision was made in the same act, only excepted) then, or in such case, and not till then, the said yearly fund of one hundred thousand pounds should cease and determine, as by the same act (relation being thereunto had) may more plainly appear: now for the better encouragement of the said governor and company of the bank of England, to perform the service of circulating all the Exchequer-bills, according to the true meaning of this act, it is hereby declared and enacted by the authority aforesaid, That the said recited proviso or condition for determining the said yearly fund of one hundred thousand pounds, upon twelve months notice, after the said first day of *August* one thousand seven hundred thirty two upon such payments, as aforesaid, shall be, and is hereby repealed and made void; and that the said governor and company of the bank of England, and their successors, for ever, shall remain, continue and be one body corporate and politick, by the name of the governor and company of the bank of England, and shall for ever have, receive and enjoy the said entire yearly fund of one hundred thousand pounds out of the said rates and duties of excise, together with a perpetual succession, and all abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits and advantages whatsoever, whereunto the governor and company of the bank of England are, or before the making of this act were entitled by any act or acts of parliament, grants or charters whatsoever, now in force; subject nevertheless to such restrictions, rules, directions, agreements, matters and things, as in the said acts and charters, or any of them, now in force are contained or prescribed; and also subject to the power and condition of redemption, hereafter in this act contained in this behalf.

Proviso in
7 Ann. for determining the
yearly fund
and corporation,
on twelve
months notice
after 1 August
1732, repealed.

On 12 months
notice after
1 Aug. 1742.
and on payment to the
bank of
1,600,000l. &c.
the yearly
fund of
100,000l. to
cease.

XXIV. Provided always, and it is hereby further enacted by the authority aforesaid, That at any time upon twelve months notice after the first day of *August*, which shall be in the year of our Lord one thousand seven hundred forty two, and not before, and upon repayment by parliament to the said governor and company of the bank of England, or their successors, of the said sum of sixteen hundred thousand pounds, without any deduction, discount or abatement whatsoever, and upon payment to the said governor and company, and their successors, of all arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which shall be owing unto them upon all such tallies, Exchequer orders, or parliamentary

mentary funds, which the said governor and company, or their successors, shall have remaining in their hands, or be entitled to at the time of such notice to be given, as aforesaid (such funds, for redemption whereof other provision is made in the said former acts, or any of them, or in this act, always excepted) then and in such case, and not till then, the said yearly fund of one hundred thousand pounds shall cease and determine.

XXV. Provided also, and it is hereby enacted, That from and after such redemption of the said one hundred thousand pounds *per annum*, and from and after redemption shall also be made by parliament of the annuity of one hundred and six thousand five hundred and one pounds, thirteen shillings and five pence *per annum*, by the said act of the seventh year of her Majesty's reign, settled and payable to the said governor and company, in the manner therein mentioned, and from and after redemption shall likewise be made of the fund established by this act, in relation to the said Exchequer bills, then, and not till then, the said corporation of the governor and company of the bank of England shall cease and determine, but till then, the said governor and company shall continue a corporation, and shall have and enjoy all the powers and privileges they are now entitled unto, as aforesaid.

After redemption, &c. corporation to determine.

XXVI. And be it further enacted and declared, That this act shall be esteemed in all courts of law and equity to be a public act, and notice thereof shall be taken as such by all courts and persons accordingly.

Public act.

XXVII. And whereas by an act of parliament made and passed in the first year of her Majesty's reign, intituled, An act for the better support of her Majesty's household, and of the honour and dignity of the crown, it was enacted and declared, That the hereditary rates and duties of excise upon beer, ale, and other liquors, which were granted to the crown in the twelfth year of the reign of his late majesty King Charles the Second, and the duties of excise upon beer, ale, and other liquors, by the said act of the first year of her Majesty's reign granted to her Majesty for the term of her life (subject nevertheless to such weekly payments or incumbrances as were thereby appointed to be charged upon, and payable out of the several duties of excise before mentioned) and the revenue of the general letter office or post office, and divers small branches of her Majesty's revenues therein enumerated, and the monies arising by the further subsidy of tunnage and poundage, and other duties upon wines, goods, and merchandizes, by the said act granted or made payable to her Majesty during her life, should be for the support of her Majesty's household, and of the honour and dignity of the crown; and in the said act several provisions are made to restrain granting or aliening the revenues aforesaid, or any of them: since which time the revenues of first-fruits and tenths of the clergy (being part of the said small branches) have been otherwise disposed of or in pursuance of an act of parliament in that behalf; and the revenue arising in the general letter office or post office hath been since regranted and increased, and part of that revenue so regranted and increased hath been appropriated to raise money

Recital of the act 1 Annæ, stat. 1. c. 7.

12 Car. c. 23.

5 Ann. c. 24.

9 Ann. c. 10. money for the publick use, and other part thereof is applicable to the support of her Majesty's said household, and the honour and dignity of the crown, pursuant to another act of parliament made for those ends and purposes, as by the said respective acts, relation being thereunto had, may more fully appear: and whereas by occasion of several extraordinary expences since the said act of the first year of her Majesty's reign, divers arrears of salaries, wages, diet-monies, and other allowances, and sundry debts for emptions, provisions, and other causes, have incurred, and grown due to her Majesty's servants, tradesmen, and others, and do now remain unsatisfied, which debts and arrears do amount to a very considerable sum in the whole, and are properly chargeable upon the said branches or revenues which were appointed for the support of her Majesty's household, and of the honour and dignity of the crown, as aforesaid: now her Majesty's said most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous that her Majesty, in the administration of her civil government, may not remain under any difficulties, in respect of the arrears or debts contracted, as aforesaid, and being therefore desirous that a sum not exceeding five hundred thousand pounds may be raised, by such ways and means, as in this act are authorized or appointed, the better to enable her Majesty to discharge the said debts and arrears, do, for that end and purpose, most humbly pray that it may be enacted; and be it enacted by the authority aforesaid,

Her Majesty, by letters patents, may appoint 35,000*l.* per annum for 34 years, to be issued out of the Exchequer,

chargeable on the revenues of the crown, &c.

and preferable to all other payments.

That it shall and may be lawful to and for the Queen's most excellent majesty, by letters patents, to be made and passed, at any time or times, on this side or before the five and twentieth day of *December*, in the year of our Lord one thousand seven hundred and thirteen, under the great seal of *Great Britain*, to limit, appoint, set, and appropriate, any sum not exceeding thirty five thousand pounds *per annum*, to be issued or paid by weekly or quarterly payments, as her Majesty shall therein direct, at the receipt of the Exchequer, for and during any term not exceeding thirty two years, to commence and be reckoned from the feast of Saint *Michael* the Arch-angel, in the year of our Lord one thousand seven hundred and thirteen; and that the said yearly sum shall be charged upon, and payable out of all the said revenues, duties, and branches, which were appointed for the support of her Majesty's household, and the honour and dignity of the crown, as aforesaid, as well those which are hereditary in the crown, as those which were granted during her Majesty's life, as aforesaid, and every of them, during all the said term of thirty two years, in case her Majesty (whom God preserve) shall so long live; and in case of her Majesty's demise within the said term, then the said yearly sum, not exceeding thirty five thousand pounds *per annum*, shall be charged upon, and be paid and payable out of the hereditary revenues, duties, and branches last before mentioned, for and during so long time as shall be then to come and unexpired of and in the said absolute term, not exceeding thirty two years, to be reckoned from the time aforesaid; all which payments shall be made with preference to all other payments whatsoever, which shall

shall or may hereafter be charged upon the same revenues, duties, and branches, or any of them.

XXVIII. Provided always, and it is hereby enacted by the authority aforesaid, That this act, or any thing herein contained, or any matter or thing to be comprized in such letters patents, as aforesaid, shall not extend, or be construed to make void, alter, or prejudice any disposition, appropriation, appointment, matter, or thing whatsoever, contained in any act or acts of parliament made since the said act of the first year of her Majesty's reign, of or concerning the said revenues of first fruits and tenths of the clergy, or of or concerning the said revenue arising in the general letter office or post office, or any other of the revenues or branches aforesaid; but that the same dispositions, appropriations, appointments, matters and things, shall continue, and be in force, and shall take effect, and be observed, as if this act had not been made: nevertheless so much of the said revenue arising in the general letter office or post office, as is applicable to the use of her Majesty's household, or for support of the honour and dignity of the crown, as aforesaid, shall be liable for or towards making good of the said yearly sum intended to be charged by such letters patents, as is before mentioned; any thing herein, or in such letters patents, to be contained to the contrary notwithstanding.

But not to prejudice any dispositions, &c. since 1 Ann. of the first fruits, post office, &c.

XXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for her Majesty, by such letters patents, as aforesaid, to direct and appoint by what methods, and upon what terms, and in what manner and form, the said sum, not exceeding five hundred thousand pounds, for the purposes aforesaid, shall and may be raised and paid, and to authorize, permit and empower any person or persons, natives or foreigners, bodies politick or corporate (who are or shall be willing) to advance or contribute the same, or any part thereof, and to direct and appoint how and in what manner the said fund, not exceeding thirty five thousand pounds *per annum*, or any shares or proportions thereof, or the payments out of the same, shall be disposed, aliened, settled or applied, for the satisfaction of the persons who shall advance or contribute the said sum, not exceeding five hundred thousand pounds; any law for suppressing of lotteries, or any other law or statute to the contrary notwithstanding: and likewise to direct how and in what manner the monies, which shall be payable to any person or persons out of the said yearly fund, shall and may be transferred and assigned, from time to time, without power of revocation, with such further powers, directions, and clauses, to be inserted in the said letters patents, as may best conduce to the effectual settlement of the said yearly fund, and the satisfaction of the contributors thereupon; which said letters patents so to be made and passed, and such powers, directions, and clauses, so to be contained therein, shall be firm, valid, and effectual in law, according to the true meaning thereof, and of this present act; the said restrictions in the said act of the

Letters patents to direct how the said sum shall be paid,

and to empower persons to advance the same, &c.

and to direct how the monies may be transferred.

The letters patents good in law.

the first year of her Majesty's reign, or in any act for suppressing of lotteries, or in any other act or acts of parliament whatsoever contained, or any other law, statute, matter or thing whatsoever to the contrary in any wise notwithstanding.

No fee to be taken,

XXX. And it is hereby enacted by the authority aforesaid, That the proper officers or persons, who shall, from time to time, be intrusted or concerned to pay the monies of the said revenues into the said receipt of Exchequer, for answering the said yearly fund last mentioned, and the respective officers or persons in the said receipt of Exchequer, who are, from time to time, to make any payments out of the same yearly fund, pursuant to the directions of such letters patents, as aforesaid, shall perform their respective duties therein, without demanding or receiving, directly or indirectly, any fee, reward, or gratuity for so doing, from the party who is to receive such money; and in case any such officers or persons shall take or demand any such fee, reward or gratuity, or shall contrary to the directions to be contained in the said letters patents, and the true meaning of this act, divert or misapply any of the monies which ought to be paid into the said receipt, and issued thence, upon account of the said yearly fund, every such officer or person shall be incapable of holding any office, or place of trust or profit under her Majesty, her heirs and successors, and shall also forfeit treble damages to the party grieved, to be recovered, with full costs of suit, by action, suit, bill or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be allowed.

nor money to be diverted,

on pain of incapacity, and treble damages.

Money advanced, tax-free.

XXXI. And it is hereby enacted, That any money to be advanced or contributed, or that shall be payable to any person or persons, or to any corporation whatsoever, by virtue of this act, and of such letters patents, to be passed in pursuance thereof, as aforesaid, shall not be charged or chargeable with any rates, taxes, duties, or impositions whatsoever.

Appropriation of the several supplies granted this session.

12 Ann. stat.
1. C. 2.

XXXII. And be it enacted by the authority aforesaid, That all the money lent, and to be lent to her Majesty upon one act of this session of parliament, intituled, *An act for granting an aid to her Majesty, to be raised by a land-tax in Great Britain, for the service of the year one thousand seven hundred and thirteen*, and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent, or to be lent unto her Majesty upon another act of this session of parliament, for granting to her Majesty duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and thirteen; and so much money of the said duties of malt, mum, cyder and perry thereby granted, as shall arise and remain after all the loans

12 Ann. stat.
1. C. 2.

made

made or to be made upon that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charge thereby allowable for the raising the said duties thereby granted, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the sums (not exceeding twelve hundred thousand pounds) authorized by this act to be issued in Exchequer bills, shall be appropriated for or towards the several uses, intents and purposes herein after expressed, (that is to say) for or towards defraying the charges of the ordinary of her Majesty's navy, and for victuals, wages, wear and tear, and other services of the navy, and victualling thereof, performed and to be performed, and for sea-service in the ordnance, performed and to be performed, so as all the issues to be made out of the said aids or supplies, for all the naval or marine services before mentioned, do not in the whole exceed one million and two hundred thousand pounds, over and above the money to be made good to the *South Sea* company, as is herein after mentioned; and for or towards defraying the charge of half-pay, to such officers as have served well at sea in the late war, and shall be out of employment by sea or land in time of peace, so as such half-pay, within the year one thousand seven hundred and thirteen, do not exceed seventeen thousand pounds, out of the same aids or supplies; and for or towards defraying the charge of the land-forces in her Majesty's service for six months, from the two and twentieth day of *December* one thousand seven hundred and twelve, to the three and twentieth day of *June* one thousand seven hundred and thirteen, both inclusive, and for reducing their numbers; and for or towards the charge of her Majesty's guards and garrisons in *Great Britain*, from the three and twentieth day of *June* one thousand seven hundred and thirteen, to the five and twentieth day of *December* following, including general officers and contingencies; and for or towards the charge of her Majesty's forces in the island of *Minorca*, from the four and twentieth day of *June* one thousand seven hundred and thirteen, to the four and twentieth day of *December* following; and for or towards the charge of her Majesty's forces in *Gibraltar*, from the four and twentieth day of *June* one thousand seven hundred and thirteen, to the four and twentieth day of *December* following; and for or towards the charge of her Majesty's forces at *Dunkirk* for five months, from the four and twentieth day of *June* one thousand seven hundred and thirteen; and for or towards defraying her Majesty's part of the charge of the pay of the *Saxe Gotha* troops, from the two and twentieth day of *December* one thousand seven hundred and twelve, to the time of their dismissal, with one month's pay from that time, according to the treaty in that behalf; and for or towards defraying the charge of her Majesty's forces in the plantations for six months, from the four and twentieth day of *June* one thousand seven hundred and thirteen, to the four and twentieth day of *December* following; so as all the issues to be made out of the said

Ordinary of
navy, &c.

Half-pay for
sea officers.

Land forces
for 6 months.

Guards and
garrisons.

Forces in Mi-
norca.

Forces in Gi-
braltar.

Forces at
Dunkirk for 5
months.

Troops of
Saxe Gotha.

Forces in the
plantations.

Half-pay for
the marines.

Half-pay for
land officers.

Out-pension-
ers of Chelsea
hospital.

Extraordina-
ries of the late
war.

Ordnance for
land service.

Deficiency of
the class lot-
tery.

Salaries, &c.
of commis-
sioners of ac-
counts.
12 Ann.stat.1.
c. 3.

Salaries, &c.
of the com-
missioners for
stating the

said aids or supplies, for the said guards, garrisons, and land-forces, as aforesaid, for or upon account of such respective services, as are before mentioned, do not in the whole exceed nine hundred thirty seven thousand six hundred and eight pounds, eleven shillings and six pence; and for or towards defraying the charge of half-pay to the officers (who had served well in the said war) of four marine regiments to be disbanded, from the first day of *July* one thousand seven hundred and thirteen, to the four and twentieth day of *December* following, so as such half-pay for the said marine officers do not exceed four thousand eight hundred seventy nine pounds, and six shillings, out of the aids or supplies aforesaid; and for or towards defraying the charge of half-pay to the land officers who have served well in the said war, and are disbanded, or are to be disbanded, to the five and twentieth day of *December* one thousand seven hundred and thirteen, so as such half-pay to the said land officers do not exceed ninety nine thousand twenty and eight pounds, six shillings, and eleven pence, out of the same aids or supplies; and for or towards defraying the charge of the out-pensioners of the royal hospital at *Chelsea*, to the four and twentieth day of *December* one thousand seven hundred and thirteen, so as the charge last mentioned do not exceed the sum of sixty one thousand four hundred sixty and four pounds, five shillings, and seven pence, out of the aids or supplies aforesaid; and for or towards defraying extraordinary charges incurred in relation to the late war, so as such extraordinary charges do not exceed in the whole twenty thousand five hundred seventy and two pounds, five shillings, and ten pence, out of the aids or supplies before mentioned; and for or towards the charge of the office of her Majesty's ordnance for land service, performed and to be performed, not to exceed in the whole sixty-six thousand six hundred ninety and eight pounds, three shillings, and five pence, out of the same aids or supplies, including so much (not exceeding two thousand pounds) as shall be necessary to defray the charge of covering the works of the fortifications already begun in *North Britain*; and for or towards making good the deficiency of the fund granted for the payment of principal and interest of the class lottery in the year one thousand seven hundred and eleven, for the year ended at *Michaelmas* one thousand seven hundred and twelve, so as the sum to be supplied out of the aids or supplies aforesaid, for or towards the same deficiency, do not exceed sixty two thousand pounds; and for or towards satisfaction of the sum of six thousand pounds to defray the salaries and incident charges of the seven commissioners, continued by an act of this session of parliament for stating the publick accounts of the kingdom, from the four and twentieth day of *March* one thousand seven hundred and twelve, to the five and twentieth day of *March* one thousand seven hundred and fourteen; and the further sum of four thousand and five hundred pounds, to defray the salaries and incident charges of the same commissioners, continued by the same act for stating and determining

determining the debts to the army, from the four and twentieth debts to the day of *June* one thousand seven hundred and thirteen, to the army. the four and twentieth day of *June* one thousand seven hundred and fourteen; the said respective sums to be issued and paid by quarterly payments to the said commissioners, for themselves, and for payment of their clerks, and other incident charges, without account, imprest, or other charge to be set upon them or any of them for the same, or any part thereof; and to none other uses, intents, and purposes whatsoever.

XXXIII. Provided always, and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payment by the treasurer of the navy, to make good deficiencies to the South Sea corporation in pursuance of 9 Ann. c. 21. No appropriation to obstruct any payment by the treasurer of the navy, to make good deficiencies to the South Sea corporation in pursuance of 9 Ann. c. 21.

and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payment by the treasurer of the navy, to make good deficiencies to the South Sea corporation in pursuance of 9 Ann. c. 21.

the said act made in the ninth year of her Majesty's reign, intituled, *An act for making good deficiencies; and satisfying the publick debts; and for erecting a corporation to carry on a trade to the South Seas; and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain, and to repeal the acts for registering seamen, and of her Majesty's charter grounded thereupon,* are or shall be required and authorized to be made by the treasurer or paymaster of the navy, for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders, or parliamentary securities in their hands or power respectively; as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to the corporation erected in pursuance of the act last mentioned, called by the name of the governor and company of merchants of *Great Britain*, trading to the *South Seas*, and other parts of *America*, and for encouraging the fishery, or to their treasurer, for their use; any thing herein contained to the contrary notwithstanding.

XXXIV. And be it further enacted and declared, That all such of the said arrears and debts (intended by this act to be satisfied out of the said sum not exceeding five hundred thousand pounds, to be raised, as aforesaid) and all debentures for the same, or any of them, as have been, at any time or times before the thirtieth day of *June* one thousand seven hundred and thirteen, sold, assigned or granted, or covenanted to be assigned or granted, or for which any authority hath heretofore been given or granted by any of her Majesty's servants, or by any husband of any her Majesty's servants, or by any tradesman, or other person, who served provisions or goods for her Majesty's service, or by any of their executors or administrators, to receive the same, or any part thereof, to the use of such buyer, assignee, or grantee, or of such person or persons so authorized, shall and may be redeemed, and are hereby redeemable by the persons who made such sales, assignments or grants, or that gave such authority respectively, or by their respective executors or administrators, on payment of the principal sum of money paid in consideration of making such sales, assignments, grants, covenants or authorities respectively, with the charges and

All debts intended by this act to be satisfied, assigned before 30 June 1713, may be redeemed, &c.

and interest for the same, from the time of the payment thereof, after the rate of six pounds *per centum per annum*, discounting for what hath been received, for or in respect of the arrear or debt, by any such person or persons, to whom such sale, assignment or authority was made or given; and upon payment, or tender of the said principal money, interest and charges, such sale, grant, assignment or authority, and all covenants and agreements concerning the same shall be void.

Redemption to be within 6 months after this session.

Claim to be entered in the office where the debt became due before 29 Sept. 1713.

XXXV. Provided nevertheless, That such redemption, as aforesaid, be made within the space of six months from and after the end of this session of parliament.

XXXVI. Provided always; That no such redemption shall be allowed, unless the party, who shall claim the benefit thereof, do enter or cause to be entered a note or memorandum of such claim in the office where the said arrear or debt became due, in a book to be kept in every such office for that purpose, on or before the nine and twentieth day of *September* one thousand seven hundred and thirteen.

Saving clause.

XXXVII. Saving always to all and every person and persons, bodies politick and corporate, their heirs and successors, executors; administrators and assigns (other than to her Majesty, her heirs and successors) all such rights, titles, estates, customs, interests, claims and demands whatsoever, of, in, to or out of any of the revenues or hereditaments, charged or chargeable by virtue of this act with any sum not exceeding thirty five thousand pounds, as they or any of them had or ought to have had, before the making of this act, as fully to all intents and purposes, as if this act had never been made; any thing herein contained to the contrary notwithstanding.

Appropriation of 500,000l.

XXXVIII. Provided always, and it is hereby enacted by the authority aforesaid, That the said sum of five hundred thousand pounds, or so much thereof as shall be raised, as aforesaid, is hereby appropriated, and shall be applied and disposed in aid of the said revenues or branches, which were appointed for support of her Majesty's household, and of the honour and dignity of the crown, for or towards the paying and discharging of such arrears of salaries, wages, diet money, and other allowances, and such debts for emptions, provisions, and other causes, as shall appear to be justly due and owing to her Majesty's servants, tradesmen, and others, as aforesaid, and to none other use, intent or purpose whatsoever.

CAP. XII.

An act for the better regulating the forces to be continued in her Majesty's service; and for the payment of the said forces, and of their quarters. E X P.

CAP. XIII.

An act to enable such officers and soldiers as have been in her Majesty's service, during the late war, to exercise trades, and for officers to account with their soldiers.

WHEREAS there hath been and are divers officers and soldiers who have served her Majesty in the late wars, and were instrumental, by the blessing of Almighty God, in obtaining an advantageous peace for these kingdoms, some of which are men that used trades, others that were apprentices to trades, who had not served out their times, and others who by their own industry have made themselves apt and fit for trades, many of which (the wars being now ended) would willingly employ themselves in those trades which they were formerly accustomed to, or which they are apt or able to follow, and make use of, for the getting their living by their own labour, but are or may be hindered from exercising those trades in certain cities and corporations, and other places within this kingdom, because of certain by-laws and customs of those places, and of the statute made in the fifth year of Queen Elizabeth, prohibiting the use of certain trades by any person who hath not served as an apprentice to such trade for the space of seven years: for remedy whereof, be it enacted, &c. Eliz. c. 41

Officers and soldiers who have not deserted the service, having used any trade, or that were apprentices, and did not serve out their times, may set up and exercise trades: that is to say, apprentices may set up their trades, though they have not served out their times, and others any trade in the counties where they were born. And if indicted, may plead the general issue, and shall recover treble costs. Service, how to be proved. Penalty of producing a forged commission, or false certificate. Paymasters to state accounts of disbanded regiments, and pay the arrears to the colonels. Colonels to state accounts with the captains: and the captains with inferior officers, &c. and pay what is due, on forfeiture of double the sum. Disbanded soldiers setting up trades shall be freed from arrests for three years, and their stock, &c. from being taken in execution. Executors of colonels, agents, &c. who died indebted to the officers and soldiers, shall pay such debts, preferably to all others. Executors having paid debts before the making of this act, such payment shall be good. Neither this, nor the 10 & 11 W. 3. c. 11. shall prejudice the privileges of Oxford and Cambridge. **EXP.**

CAP. XIV.

An act for explaining the acts for licensing hackney chairs.

WHEREAS by an act of parliament made in the ninth year of her now Majesty's reign, intituled, An act for licensing and regulating hackney coaches and chairs, and for charging certain new duties on stamp vellum, parchment and paper, and on cards and dice, and on the exportation of rock salt for Ireland, and for securing thereby, and by a weekly payment out of the post-office, and by several duties on hides and skins, a yearly fund of one hundred eighty six thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors

30 Ann. c. 19.
s. 153.

9 Ann. c. 23.

The commissioners shall in the first place licence the widows of hackney chairmen, unless they neglect to take out such licence in a reasonable time.

Such widows, their chairs and servants, liable to such rules, &c. as other licensed chairmen.
Continued by
16 Geo. 2. c. 26.
to 24 June
1760, &c.

tributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions, a power was given to the commissioners therein mentioned, for licensing two hundred chairs within the cities of London and Westminster, and suburbs thereof, and all parishes and places within the weekly bills of mortality, for the term of thirty two years, from the four and twentieth day of June one thousand seven hundred and eleven; and by another act of parliament, made in the tenth year of the reign of her said Majesty, the said commissioners had a power for the licensing an additional number of chairs, not exceeding one hundred, from the twenty fourth of June one thousand seven hundred and twelve, for the term of thirty one years, within the cities and liberties aforesaid, so that the whole shall not exceed three hundred: and whereas by the aforesaid act, made in the ninth year of her said Majesty's reign, it is, amongst other things, enacted, That the said commissioners should, in the first place, license all such persons as had then been ancient coachmen, or ancient chairmen, or the widows of any of them, unless they should neglect or refuse to take such licences, upon the respective terms thereby allowed, within a reasonable time to be limited by the said commissioners, not less than twenty days: and whereas several doubts have arisen, whether the said commissioners are obliged by the said act of the ninth of the Queen, to license the widows of chairmen, or to let them have the benefit of such licences as were granted to their husbands whilst living, and several suits of law have been commenced thereupon, to the great oppression and grievance of the parties concerned; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the commissioners for the time being, for licensing coaches and chairs, pursuant to the recited acts mentioned, shall and are hereby required, in the first place, to license all and every the widow and widows of such hackney chairman or chairmen respectively, who have died or shall die possessed of any licence or licences, granted by the said commissioners in pursuance of the said acts, unless such widow or widows shall neglect or refuse to take such licences upon the respective terms allowed by the said recited acts, within a reasonable time to be limited by the said commissioners, not less than twenty days.

II. Provided always, and be it further enacted by the authority aforesaid, That such widow or widows, their chairs, servants, and every other person or persons carrying the same, shall be subject and liable to such rules, penalties, punishments, orders, and bye-laws, made, or to be made, concerning licensed hackney chairs, by virtue of the said recited acts, as any other licensed chairman is by the said acts liable unto; any thing in this act, or in the said recited acts, contained to the contrary in any wise notwithstanding.

CAP. XV.

An act for making perpetual an act made in the seventh year of the reign of the late King William, intituled, An act to prevent false and double returns of members to serve in parliament.

WHEREAS in the seventh year of the reign of the late King William the Third, an act was made, intituled, An act to prevent false and double returns of members to serve in parliament, and was thereby enacted to continue for the term of seven years, and from thence to the end of the next sessions of parliament, and no longer; which act by another act made in the twelfth year of the reign of the said late King, intituled, An act for continuing a former act to prevent false and double returns of members to serve in parliament, was enacted, should thereafter be in force for and during the term of eleven years, and from thence to the end of the first sessions of the next parliament, and no longer; which said act has been found by experience to be very useful for the preservation of the rights of the several counties, cities and boroughs of this kingdom, in the election of members to serve in parliament, and being near expiring: be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act made in the seventh year of the reign of the late King William the Third, intituled, *An act to prevent false and double returns of members to serve in parliament*, and every clause, matter and thing therein contained, shall be, and is hereby declared to be in full force, and is hereby made perpetual.

The act 7 & 8 W. 3. c. 7. made perpetual.

CAP. XVI.

An act for the better encouragement of the making of sail-cloth in Great Britain.

Most Gracious Sovereign,

WHEREAS the making of sail-cloth in Great Britain is of great use and benefit to the nation, being set up in several parts of this united kingdom, employing many thousands of the poor, and is brought to great perfection; but by the duties on hemp and flax imported, and drawback on foreign made sail-cloth exported, the makers of British sail-cloth have not a sufficient encouragement for so useful and beneficial a manufacture; therefore we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have given and granted to your Majesty such additional duty upon foreign sail-cloth to be imported, as is herein after mentioned; and do most humbly beseech your Majesty, That it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same,

After 21 July 1713. a further duty of 2d. per ell, laid on foreign fail-cloth, &c. imported for seven years.

Except canvas of the product of Ireland.

Out of the said duty shall be allowed a reward of 1d. per ell for fail-cloth made in Great Britain, which within the said time shall be exported.

The exporter to make oath that it was made in Great Britain, is actually exported, &c.

Penalty of re-landing fail-cloth for which such reward has been given.

same, That from and after the one and twentieth day of July one thousand seven hundred and thirteen, over and above all subsidies, duties, impositions and payments, already due and payable, or which ought to be paid to her Majesty, for or upon such foreign made sails and fail-cloth, or canvas usually entred as *Hollands Duck* or *Vitry* canvas, which shall be fit and proper to be made use of, for making of sails for navigating ships and vessels, and which shall be imported into *Great Britain* by way of merchandize, except such canvas as is of the product and manufacture of *Ireland*, there shall be raised and levied, collected and paid unto her Majesty, her heirs and successors, a further duty of one penny *per ell*, and after that rate for greater or lesser quantities, during the term of seven years, and from thence to the end of the then next session of parliament, and no longer; the same to be raised, levied, collected and recovered, by such ways, means and methods, and subject to such penalties and forfeitures, and in such manner and form, as any subsidy payable to her Majesty, for any other goods or merchandizes imported, or to be imported, may by any law or laws now in force be raised, levied, collected and recovered.

II. *And whereas hemp and flax imported draws back nothing of the duties paid for the same, when wrought up into British fail-cloth;* be it enacted by the authority aforesaid, That out of the said additional duty of one penny *per ell*, a reward or recompence of one penny be given and paid for every ell of *British* made fail-cloth or canvas, fit for or made into sails, which from and after the one and twentieth day of July one thousand seven hundred and thirteen, and within the said term of seven years, or at any time before the end of the then next session of parliament, shall be exported out of *Great Britain* by way of merchandize: provided always, That the exporter of such *British* made fail-cloth shall always, before he receives any such reward, make oath (which the proper officers of the customs have hereby power to administer) that such fail-cloth was made in *Great Britain*, is actually exported or shipped to be exported, without any intention to be reloaded in any part of *Great Britain*, and that no former reward upon this act was made for the same fail-cloth.

III. And it is hereby enacted, That if any *British* made fail-cloth, for which such reward shall be given, shall be reloaded in *Great Britain*, the same shall be forfeited; and every person concerned in bringing back or reloading the same, shall forfeit two shillings for every ell so brought back or reloaded; one moiety of which forfeitures shall be to her Majesty, and the other moiety thereof to such as will seize, inform or sue for the same, or the value thereof, to be recovered by action, bill, suit or information, in any her Majesty's courts of record at *Westminster*, or in the Exchequer at *Edinburgh*, wherein no essoin, protection, wager of law, or more than one imparlance shall be allowed. *This act is continued for seven years by 10 Geo. 1. c. 17. f. 4. and by 20 Geo. 2. c. 45. to 1 June 1754. &c.*

CAP. XVII.

An act to vest in the commissioners for building fifty new churches in and about London and Westminster; and suburbs thereof, as much of the street near the May-Pole in the Strand in the county of Middlesex, as shall be sufficient to build one of the said churches upon; and for restoring to the principal and scholars of King's Hall and college of Brazen Nose in the university of Oxon, their right of presentation to churches and chapels in Stepney parish.

WHEREAS by an act of parliament passed in the ninth year 9 Ann. c. 33. of her Majesty's reign, intituled, An act for granting to her Majesty several duties upon coals, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned, it is (amongst other things) enacted, That it should and might be lawful to and for her Majesty, by letters patent under the great seal of Great Britain, to nominate, constitute and appoint such persons as her Majesty should think fit, to be commissioners, to enquire and inform themselves in what parishes the said new churches (except one for Greenwich) were most necessary to be built, and of proper places for the sites of the said respective new churches; and also a cemetery or church-yard for each of the said churches; and also which of the chapels within the said parishes are fit to be made parish churches; and that they should ascertain the several houses, lands, tenements, and hereditaments, and the bounds and limits which in their judgments or opinion might be fit to be made distinct parishes: and whereas her Majesty, by letters patent under the great seal of Great Britain, bearing date at Westminster the one and twentieth day of September in the tenth year of her reign, did nominate, constitute, authorize and appoint Thomas lord archbishop of Canterbury, John lord archbishop of York, John lord bishop of Bristol, Henry lord bishop of London, Jonathan lord bishop of Winchester, Nathaniel lord bishop of Durham, and divers other persons, to be commissioners for the purposes aforesaid: and whereas by another act of parliament passed in the tenth year of her Majesty's reign, intituled, An act for 10 Ann. c. 11 enlarging the time given to commissioners appointed by her Majesty, pursuant to an act for granting to her Majesty several duties on coals for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned; and for giving the said commissioners further power for better effecting the same; and for appointing monies for rebuilding the parish church of St. Mary Woolnoth in the city of London, it is, amongst other things, enacted, That the commissioners, or any five or more of them, should proceed to do and perform all and every the matters and things in and by the said acts intended to be done and performed: and it is thereby provided and enacted, That it should and might be lawful to and for her

her Majesty, her heirs and successors, at any time before the twenty ninth day of September one thousand seven hundred and twelve, by letters patent under the great seal of Great Britain, to nominate constitute and appoint such persons to be commissioners to execute all and every the powers in the first recited act, and in the said last act mentioned, as her Majesty should think fit: and whereas her Majesty did, in pursuance of the said last recited act, by letters patent under the great seal of Great Britain, bearing date the seven and twentieth day of September one thousand seven hundred and twelve, nominate, constitute and appoint Thomas lord archbishop of Canterbury, John lord archbishop of York, Simon lord Harcourt, then lord keeper of the great seal of Great Britain (now lord high chancellor of Great Britain) John duke of the county of Buckingham and Normanby, Henry viscount Bolingbroke, the right reverend father in God William lord bishop of Chester, and the right reverend father in God Philip then lord bishop of St. Davids (now lord bishop of Hereford) and divers other persons, to be commissioners; and that they, or any five or more of them, should do, perform, and execute all and every the powers, matters and things, in and by the said recited acts, and either of them, appointed to be done and performed: and whereas the vacant piece of ground at and about the May-Pole in the Strand in the county of Middlesex, is a proper place for the building one of the said fifty new churches upon, which cannot be appropriated to that use, without the aid of parliament; be it therefore enacted, &c.

The waste ground in the Strand on which the new church is to be built, vested in the commissioners appointed by letters patent bearing date 27 Sept. 1712. Such church to be deemed one of the fifty new ones. A street way and passage to be left on the north side and east end of the said church.

9 Ann. c. 16.
a private act.

IV, And whereas by an act made in the first session of this present parliament, intituled, An act for confirming to the principal and scholars of King's Hall and college of Brazen Nose in the university of Oxon, the purchase of the advowsons of Stepney and other churches, and for settling the same to the benefit of the said college, it is provided, That it shall and may be lawful so and for the said principal and scholars, and their successors, upon every vacancy, from time to time, to nominate and appoint respectively fit clerks to officiate in the chapel of Stratford-Bow, and in all other churches or chapels that then were or should be built, within the parish of Stebunheath alias Stepney in the county of Middlesex, and to receive the profits belonging to the same: and whereas by a clause in an act made in the second sessions of this present parliament, inti-

30 Ann. c. 11.

titled, An act for enlarging the time given to the commissioners appointed by her Majesty, pursuant to an act for granting to her Majesty several duties on coals, for building fifty new churches, in and about the cities of London and Westminster and suburbs thereof, and other purposes therein mentioned; and also for giving the said commissioners further powers for better effecting the same, and for appointing monies for rebuilding the parish church of Saint Mary Woolnoth in the city of London, it is enacted, That in every new church and parish to be erected or

constituted

consent: pursuant to the same act (other than such chapels as, according to the same act, should be converted into parochial churches) the first rector should be nominated and appointed by her Majesty, of and in such new church and parish; in which all there being no express assenting to the said principal and scholars, and their successors, of their right upon every vacancy, from time to time, to nominate or present respectively fit clerks to officiate, as aforesaid, it may happen to be controverted, whether the first rector in every new church and parish, to be erected or constituted pursuant to the same act, in the said parish of Seebunheath alias Stepney, and also in such chapels within the same parish as should be converted into parochial churches, pursuant to the same act, might belong to the said principal and scholars, and their successors, to nominate and appoint: now for the preventing of all such controversies, it is hereby enacted, &c.

The principal and scholars of Brazen Nose in Oxford, shall nominate the first rector in every new church or chapel turned into a church in Stepney parish: Nothing in this act shall prejudice the right, &c. of John Walker, &c.

C A P. XVIII.

An act for making perpetual the act made in the thirteenth and fourteenth years of the reign of the late King Charles the Second, intituled, An act for the better relief of the poor of this kingdom; and that persons bound apprentices to, or being hired servants with persons coming with certificates, shall not gain settlements by such services or apprenticeships: and for making perpetual the act made in the sixth year of her present Majesty's reign, intituled, An act for the importation of cochineal from any ports in Spain, during the present war, and six months longer: and for reviving a clause in an act made in the ninth and tenth years of the reign of the late King William, intituled, An act for settling the trade to Africa, for allowing foreign copper bars imported, to be exported.

WHEREAS an act made in the thirteenth and fourteenth ^{13 & 14 Car. 2.} years of the reign of the late King Charles the Second, intituled, ^{C. 12.} An act for the better relief of the poor of this kingdom, was enacted, to have continuance (except what related to the corporations therein mentioned, and thereby constituted) only until the twenty-ninth day of May one thousand six hundred sixty five, and from thence to the end of the first sessions of the next parliament; which said act, by an act made in the first year of the reign of the late King James the Second, (except what related to the corporations therein mentioned, and thereby constituted) was enacted to be in force from the first day of May one thousand six hundred eighty-five, and so to continue for the space of seven years, and from thence to the end of the next sessions of parliament; and by an act made in the third and fourth years of the reign of King William and Queen Mary,

- 3 & 4 W. & M. c. 11. the said act (as to what therein related to the settlement of the poor) was enacted to be in force from the first day of March one thousand six hundred ninety-one; but no provision was thereby made for continuing divers other parts of the said act, which said act, intituled, An act for the better relief of the poor of this kingdom, as to all parts thereof, not mentioned and continued in and by the said act made
- 4 & 5 W. & M. c. 24. f. 11. in the third and fourth years of their late Majesties (other than and except what relates to the corporations mentioned in the said act, [For the better relief of the poor of this kingdom,] and thereby constituted) was, by an act made in the fourth and fifth years of the reign of their late Majesties, continued only for the space of seven years, from the thirtieth day of February one thousand six hundred ninety-two, and from thence to the end of the next session of parliament; which said act afterwards by an act of the eleventh and twelfth
- 11 & 12 W. 3. c. 13. years of the reign of the late King William the Third, intituled, An act for continuing several laws therein mentioned, was continued only for seven years, from the twenty-ninth day of September one thousand seven hundred; and which said act of the thirteenth and
- 5 Ann. c. 34. fourteenth years of the reign of the said late King Charles the Second, intituled, An act for the better relief of the poor of this kingdom, by an act made in the fifth year of the reign of her present Majesty, intituled, An act for continuing the laws therein mentioned relating to the poor, and to the buying and selling of cattle in Smithfield, and for suppressing of piracy, was enacted to be in force from the twenty-fifth day of March one thousand seven hundred and seven (except what relates to the corporations therein mentioned, and thereby constituted) only for seven years, and from thence to the end of the next sessions of parliament; which said act of the thirteenth and fourteenth years of the reign of the said late King Charles the Second, intituled, An act for the better relief of the poor of this kingdom, being found to be a very useful and necessary law, and being near expiring; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the said act, made in the thirteenth and fourteenth years
- Amended by 11 Geo. 1. c. 29. of the said late King Charles the Second, intituled, An act for the better relief of the poor of this kingdom, shall be and is hereby made perpetual.
- The act 13 & 14 Car. 2. c. 12. made perpetual.

8 & 9 W. 3. c. 30. II. And whereas by an act made in the eighth and ninth years of the reign of the late King William the Third, intituled, An act for supplying some defects in the laws for the relief of the poor of this kingdom, It was amongst other things enacted, in the words following, (viz.) That if any person or persons whatsoever, that from and after the first day of May one thousand six hundred ninety-seven shall come into any parish, or other place, there to inhabit or reside, shall, at the same time, procure, bring, and deliver to the churchwardens or overseers of the poor of the parish or place where any such person shall come to inhabit, or to any or either of them, a certificate under the hands and seals of the churchwardens and overseers of the poor of any other parish, township or place, or the major part of them; or under

the bonds and seals of the overseers of the poor of any other place, where there are no churchwardens, to be attested respectively by two or more credible witnesses, thereby avowing and acknowledging the person or persons mentioned in the said certificate, to be an inhabitant or inhabitants legally settled in that parish, township or place, every such certificate having been allowed of and subscribed by two or more of the justices of the peace of the county, city, liberty, borough, or town corporate, wherein the parish or place, from whence any such certificate shall come, doth lie, shall oblige the said parish or place to receive and provide for the person mentioned in the said certificate, together with his or her family, as inhabitants of that parish, whenever he, she, or they shall happen to become chargeable to, or be forced to seek relief of the parish, township or place, to which such certificate was given; and then, and not before, it shall and may be lawful for any such person, and his or her children, though born in that parish, not having otherwise acquired a legal settlement there, to be removed, conveyed, and settled in the parish or place from whence such certificate was brought: and whereas many persons obtaining and bringing such certificates, do frequently take apprentices, bound by indenture, and hire and keep servants by the year, who, by reason of such apprenticeships and services, do gain settlements in, and become a great burthen to such parishes, townships and places, though such masters coming with such certificates have, by virtue thereof, no settlements in such parishes, townships or places: for remedy whereof, it is declared and enacted by the authority aforesaid, That if any person whatsoever, who, upon or after the four and twentieth day of June one thousand seven hundred and thirteen, shall be an apprentice, bound by indenture to, or shall, upon or after the said four and twentieth day of June one thousand seven hundred and thirteen, be a hired servant to or with any person whatsoever, who did come into or shall reside in any parish, township or place, in that part of Great Britain called England, by means or licence of such certificate, and not afterwards having gained a legal settlement in such parish, township or place, such apprentice, by virtue of such apprenticeship, indenture or binding, and such servant by being hired by, or serving as a servant, as aforesaid, to such person, shall not gain or be adjudged to have any settlement in such parish, township or place, by reason of such apprenticeship or binding, or by reason of such hiring or serving therein; but every such apprentice and servant shall have his and their settlements in such parish, township or place, as if he or they had not been bound apprentice or apprentices, or had not been an hired servant or servants to such person, as aforesaid; any act or acts of parliament to the contrary notwithstanding.

III. And whereas cochineal being of the growth of the Spanish West Indies, is of principal use in dying of clothes, and other the woollen manufactures of this kingdom, scarlets, purples, and other colours called grain colours, to the great improvement thereof, and employing of great numbers of her Majesty's subjects, in finishing and perfecting such woollen manufacture: and whereas before the act

After 24 June 1713. any person bound apprentice, or being a hired servant, to one who came into a parish by certificate, shall not gain a settlement there by reason of such apprenticeship, &c.

passed

passed in the sixth year of her present Majesty's reign, intituled, An act for the importation of cochineal from any ports in Spain, during the present war, and six months longer, cochineal could not be imported into this kingdom, but from the places of its growth, although the same was then, and is now sold at cheaper rates in several parts of Europe, and used as well in dying the said manufactures of this kingdom abroad, as also foreign manufactures, at lower prizes than her Majesty's subjects can, to the encouragement of foreign woollen manufactures, and the great prejudice of those of this kingdom, and impoverishment of many of her Majesty's subjects employed therein, if the said act should not be further continued; be it therefore enacted by the authority aforesaid, That the said act made in the sixth year of her present Majesty's reign, intituled, An act for the importation of cochineal from any ports in Spain, during the present war, and six months longer, shall be and is hereby made perpetual; any act or acts of parliament to the contrary notwithstanding.

The act 6 Ann.
c. 33. made
perpetual.

9 & 10 W. 3.
c. 26.

IV. And whereas in an act made in the ninth and tenth years of the reign of the late King William, intituled, An act to settle the trade to Africa, a clause was enacted in the words following, viz. And whereas by an act of parliament made in the fifth and sixth years of the reign of his present Majesty, and the late Queen Mary, amongst other things, it was enacted, That no other copper than what is made of English ore only, should be exported, which proving very prejudicial to the trade of England, by enabling foreigners to export copper much cheaper than it can be carried from England; be it enacted by the authority aforesaid, That it shall and may be lawful to and for any of his Majesty's subjects to export from England all such copper bars, as hath or shall be imported into England from foreign parts, and upon exportation shall draw back all duties, or vacate the securities, saving the half of the old subsidy, as is usual in other commodities: which clause being expired; and forasmuch as the copper manufacture of this kingdom is brought to such perfection, that there is more made than can be expended here and in the plantations; be it therefore enacted by the authority aforesaid, That the said clause, and every matter and thing therein contained, shall be and is hereby immediately, from and after the time of the expiration thereof, revived in full force, and shall be and is hereby continued for and during the space and term of fourteen years, and from thence to the end of the next session of parliament, and no longer.

The clause in
the act 9 &
10 W. 3. c. 26.
relating to the
exportation of
copper bars
imported,
continued for
14 years, &c.

No drawback
except for
East India and
Barbary cop-
per. See
13 Geo. 1.
c. 27.

V. Provided nevertheless, and be it enacted, That no drawback shall be allowed on the exportation of any copper, but such as hath been or shall be imported from the East Indies and the coast of Barbary only. Continued with 9 & 10 W. 3. c. 26.

f. 19.

Anno Regni ANNE Regine Magnæ Britannicæ, Franciæ & Hiberniæ, duodecimo, Stat. 2.

AT the parliament summoned to be held at Westminster the twelfth day of November, Anno Domini one thousand seven hundred and thirteen, in the twelfth year of the reign of our sovereign Lady Anne, by the grace of God, of Great Britain, France and Ireland, Queen, defender of the faith, &c. And by several writs of prorogation begun and holden on the sixteenth day of February one thousand seven hundred and thirteen (a) and by several adjournments continued to the ninth day of July in the thirteenth year of her Majesty's reign. Being the first session of this present parliament.

(a) The following words are added from the enrolment.

CAP. I.

As act for granting an aid to her Majesty, to be raised by a land-tax in Great Britain, for the service of the year one thousand seven hundred and fourteen. E X P. 22. in the pound.

CAP. II.

An act for allowing a drawback upon the exportation of salt, to be made use of for the curing of fish taken at North seas, or at Island.

WHEREAS the fishing for cod in the North seas, and at Island, gives great employment to the navigation of this kingdom, and breeds up great numbers of hardy and industrious mariners for defence of the realm, and improvement of commerce; and whereas the said fishing trade cannot be so effectually carried on, unless salt for curing cod taken there, may be had free of excise; for the preservation therefore, and encouragement of the said trade, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the master of any boat or vessel bound on a fishing voyage to the North seas, or Island, may take on board his said boat or vessel, in any port of Great Britain, such quantities of British salt, as he shall judge proper and necessary for his said voyage, such master paying or giving security to pay the duties due and payable for the same; which money shall be repaid, or security shall be discharged, in such manner as is herein after mentioned.

Master of a vessel bound to the North seas, &c. may take British salt on board, giving security to pay the duties.

II. And be it enacted by the authority aforesaid, That the officer of the place where the said salt was made, and the duties thereof paid, or secured to be paid, shall, upon demand, deliver gratis to such master of the vessel, a certificate, under his

hand
Officer where the salt was made, &c. to give the master a certificate of the quantity shipped.

hand and seal, of the particular quantity of salt shipped on board his vessel for the North seas, or *Isleland*, and that the duties on such salt have been paid or secured to be paid.

Codfish, &c.
may be im-
ported, on
oath made
that it came
from the
North seas, &c.
and so as the
fish be tendred
to the officer
of the duties,
to have part
of the tail cut
off.

III. And be it enacted by the authority aforesaid, That codfish, ling or hake, which have been caught and cured at the North seas, or at *Isleland*, may be imported and landed, so as oath be first made before the landing thereof, by the owner or proprietor of such fish, or the master of the vessel, before the officer for the said duties in the port or place where such fish shall be imported, brought in, or landed, (who is hereby impowered and required to administer the same, without fee or charge) That all the fish so imported came from the North seas, or *Isleland*; and were caught and cured there, and so as the said fish be, at the landing thereof, and before the same be removed from the shore, tendred to the officer of the port for the said duties, to have part of the tail of every such codfish, ling or hake, cut off, that no allowance for such fish be obtained upon exportation; and the said officer is hereby impowered and required to cut off part of the tail of all such fish on the importation thereof; and in case any such fish shall be landed before the same shall be tendred to the officer, to have part of the tail cut off, as aforesaid, all the fish so landed shall be forfeited, and double the value thereof, to be recovered of the importer or proprietor thereof.

Fish landed be-
fore so ten-
dred shall be
forfeited.

Foul salt to be
thrown over-
board.

IV. And be it enacted by the authority aforesaid, That if any of the salt so made use of in curing of fish shall remain, such foul salt shall be thrown over board and destroyed, in the presence of the officer for the salt-duties for such port, before the collector shall sign his certificate.

Salt not used,
may be re-
landed, so as
an entry be
made thereof.

V. And be it enacted by the authority aforesaid, That if it shall happen, that any of the salt so taken on board for curing of fish, shall not have been used for that purpose, it shall and may be lawful to and for the master of such ship or vessel to land the said salt, so as an entry be made thereof within ten days after his coming into any port in *Great Britain* that he shall first arrive at, and the duties paid down for the same, before such salt, or any part thereof, shall be landed or taken out of any such ship or vessel: and if such master shall neglect or refuse to enter such salt, in such port where he shall first arrive, and pay down the duties for the same within the said ten days (except in case of his being driven into any port, or detained there by stress of weather or contrary winds, or other unavoidable necessities) then and in such case all the salt on board such ship or vessel shall be forfeited, and double the value thereof, to be recovered of the owner or proprietor of such fish, or the master of the vessel, or the person commanding the same in that voyage.

Master neg-
lecting to en-
ter the salt, it
shall be for-
feited and
double the
value.

On producing
a certificate of
the quantity
taken on
board, &c. and

VI. And be it enacted by the authority aforesaid, That the master of such boat or vessel, upon producing to the collector of the salt-duties for the port where he imports his fish, such certificate of the quantity of salt taken on board, and that the duties

duties of it were paid or secured to be paid; and making oath on oath made before the said collector, of the particular quantity of the salt in of how much such certificate mentioned, that was made use of in curing of was used in curing, &c. codfish, ling or hake, caught and cured at the North Sea, or at the security *Ireland*, and that the said fish have been all marked, as aforesaid, given for the said, that there may be no allowance obtained for the same payment of the duties shall upon exportation (which oath the said collector is hereby im- be discharged, and the collector shall re- powered and required to administer without fee or charge) shall pay the duties without fee, receive *gratis* from the said collector a certificate of the same, which, together with a certificate of payment of the duty of the remainder of the salt taken in for that voyage, if there shall be any remainder, (which certificate he shall also receive *gratis*) being produced to the collector of the salt-duties for the place where the duties on the said salt were paid or secured to be paid, such security shall be discharged, and all and every sum and sums of money paid for the duty of the said salt, shall be repaid upon demand by the said collector, without fee or reward.

VII. And be it further enacted by the authority aforesaid, That if the master of any such boat or vessel shall have taken in The duties of salt that per- any quantity of *British* salt, for the curing of fish in the North rished at sea, seas, or at *Ireland*, as aforesaid, the duties of the salt having or was taken by the enemy, been paid or secured to be paid, and the vessel on which such shall be repaid, salt, as aforesaid, is shipped, shall either perish at sea, or be taken by enemies with such salt on board her, that in such case any merchant or person, owner of the said salt, shall, upon proof made before the justices of the peace at the quarter-sessions held for the county, riding, division or town, wherein he doth inhabit, of the loss of such salt so shipped, receive from the said sessions a certificate that such proof was made before them, and upon producing the said certificate to the officer of the place, where the duty on such salt shall have been paid or secured to be paid, such security shall be discharged, and so much money, as was actually paid for the duty of the said salt, shall be repaid upon demand by the said officer, without fee or reward, provided such proof be made within nine months after such loss or taking, as aforesaid.

VIII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures given by this or any former law, relating to the duties of excise upon salt, shall be distributed in manner following, (that is to say) one moiety thereof to her Majesty, her heirs and successors, and the other moiety to the officer or officers who shall seize, sue, or inform for the same, to be sued for, recovered and levied, in such manner and form, and with such power of mitigation, as any fine, penalty or forfeiture may be sued for, recovered, levied, and mitigated by any law of excise, or by action of debt, bill, plaint or information, in any of her Majesty's courts of record at *Westminster*; and all and every officer and officers for the said duties on salt, are hereby authorized and impowered to seize all salt and other things which by this or any former act or law relating to the duties on salt are declared to be forfeited.

General issue.

Double costs.

IX. And be it enacted by the authority aforesaid, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this; or any other of the statutes relating to the duties of excise upon salt, or the powers thereby given, he or they shall or may plead the general issue, and give this act and the special matter in evidence for his defence; and if upon a trial, a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuit, discontinue, or forbear prosecuting the said actions, then such defendant and defendants shall have double costs to him or them awarded, against such plaintiff or plaintiffs, for which costs he shall have remedy, as in other cases where costs are by law given to defendants.

C A P. III.

An act for charging and continuing the duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fourteen; and for the encouragement of the distilling brandy from malted corn and cyder; and for making forth duplicates of Exchequer bills and lottery tickets, lost, burnt or destroyed; and to enable the governor and company of the bank of England, and others, to lend money upon South Sea stock.

Eliz. c. 4.
l. 31.

For the application of the duties granted by this act, see l. 9. of this session, s. 69.

Any person may distil brandy from British malt, &c.

IX. **A**ND whereas in and by one act of parliament made in the fifth year of the reign of Queen Elizabeth, intituled, An act containing divers orders for artificers, labourers, servants of husbandry and apprentices, it is enacted in the words following; he is further enacted by the authority aforesaid, That after the first day of May next coming, it shall not be lawful to any person or persons, other than such as now do lawfully use or exercise any art, mystery, or manual occupation, to set up, occupy, use or exercise any craft, mystery or occupation, now used or occupied within this realm of England or Wales, except he shall have been brought up therein seven years at the least as an apprentice, in manner and form aforesaid, nor to set any person at work in such mystery, art or occupation, being not a workman at this day, except he shall have been apprentice, as is aforesaid, or else having served as an apprentice, as is aforesaid, shall or will become a journeyman, or hired by the year, upon pain that every person willingly offending or doing the contrary, shall forfeit and lose for every default forty shillings for every month: upon which aforesaid statute, several distillers of brandy or spirits made from British malt or cyder, stand indicted for not having served seven years, as aforesaid, to the great discouragement of the consumption of malted corn and cyder, and destructive to her Majesty's revenue of excise; be it therefore enacted by the authority aforesaid, That any person or persons shall or may distil brandy or spirits made from British malt or cyder, and such person or persons shall not be prosecuted for so doing by virtue of the aforesaid statute,

statute, or any clause, matter or thing contained therein to the contrary notwithstanding.

X. And whereas in and by an act of parliament made and passed in the tenth year of her Majesty's reign, for laying duties upon soap, and other matters therein mentioned, it was amongst other things enacted, That it should and might be lawful to and for the respective treasurers of the navy and ordnance, and the respective paymasters of the guards, garrisons and land forces for the time being, or any other officers or persons, unto whom or afterwards should be assigned (for the publick use and benefit) in any parts or shares of the capital stock of the corporation erected by the name of the governor and company of merchants of Great Britain, trading to the South Seas and other parts of America, and for encouraging the fishery (not being absolutely sold, applied or disposed for some of the publick uses in that act mentioned) from time to time, by any warrant or warrants in writing from the high treasurer of Great Britain then being, or the high treasurer of Great Britain, or any three or more of the commissioners of the treasury for the time being, (and not otherwise) to borrow any sum or sums of money, from any person or persons, natives or foreigners, bodies politick or corporate, who were or should be willing to advance or lend the same upon credit of the said publick stock, or any part thereof, and to allow interest not exceeding the rate of six pounds per cent, per anna. for the forbearance thereof, as is therein mentioned, and to assign, mortgage, and transfer such respective shares of the said stock, whereupon such sums of money should be agreed to be so lent, to the respective lenders thereof, or such as they severally and respectively should appoint, and to their executors, administrators, successors and assigns respectively, upon such conditions of redemption, and under such agreements for the sale of the stock so mortgaged, for making default in the repayment of the money to be borrowed thereupon, or for non-payment of the interest thereof, and subject to such other conditions, and in such manner and form, as in such warrant and warrants respectively should be prescribed in that behalf; and that all the money which should be borrowed upon credit of such stock, as aforesaid, should be applied and disposed by the said treasurers, paymasters, or others respectively chargeable therewith, to such publick uses whereunto the said stock so to be mortgaged would have been applicable by or in pursuance of another act in the said recited act mentioned, if no such mortgage, assignment or transfer had been made, and to no other use, intent or purpose whatsoever; and that the said treasurers, paymasters, and other officers, borrowing the said monies, should be answerable for the application thereof accordingly; and that the said company should not be responsible for permitting the stock to be so transferred, as if the same were unduly transferred; and that the lenders of such money should not be chargeable with the application thereof to the said uses, as by the said act of the tenth year of her Majesty's reign may more fully appear: and whereas some doubts hath been made, whether the governor and company of the bank of England (with regard to certain restrictions contained in former acts of parliament) might lawfully lend money upon credit of the said publick stock, pursuant to the said act in that behalf: for obviating of which

Clause to enable the bank of England, and others, to advance money on South Sea stock.

10 Ann. c. 19.
s. 18.

10 Ann. c. 19.

which doubt, it is declared and enacted by this present act, That it shall and may be lawful, as well to and for the governor and company of the bank of *England*, as to and for any other person or persons, natives and foreigners, bodies politic or corporate, to advance and lend such sum and sums of money, as they, or any of them, shall think fit, to the said treasurers, paymasters, and others, or any of them, upon credit of the publick stock before mentioned, or any part thereof, at such interest, and upon such assignments, mortgages or transfers, subject to such conditions of redemption, and with such agreements for selling the stock so mortgaged, in case of non-payment of the principal or interest, and in all other respects according to the forms prescribed in the said recited act of parliament in that behalf; any former act or acts of parliament, or any restrictions, prohibitions, penalties, forfeitures, clauses, matters or things therein contained to the contrary in any wise notwithstanding.

10 Ann. c. 19.

CAP. IV.

An act for the better regulating the forces to be continued in her Majesty's service, and for the payment of the said forces, and of their quarters. E X P.

CAP. V.

An act for taking away the new additional duty of thirty pounds per centum ad valorem, imposed upon all books and prints imported into Great Britain, by an act made in the tenth year of the reign of her present majesty Queen Anne.

19 Ann. c. 19.
c. 33.

WHEREAS by divers acts of parliament heretofore made, several duties have been laid upon all books and prints imported into Great Britain: and whereas by an act made in the tenth year of the reign of her present majesty Queen Anne, a further duty of thirty pounds per centum ad valorem was laid upon all books and prints imported into Great Britain; which said additional duty of thirty pounds per centum has been found, by experience, to have tended very much to the discouragement of learning, and to have been prejudicial to the other duties formerly laid: be it therefore enacted

After 24 June 1714, the duty of 30l. per cent. ad valorem, laid on books and prints imported, by 10 Ann. c. 19. taken away.

by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That from and after the four and twentieth day of June onethousand seven hundred and fourteen, the said duty of thirty pounds per centum ad valorem shall not be charged, levied, or collected upon any books or prints imported into Great Britain, but the said duty is hereby absolutely discharged and taken away; and the said act, so far only as it relates to the said duty of thirty pounds per centum ad valorem, shall be and is hereby absolutely repealed.

CAP. VI.

An act for taking away mortuaries within the dioceses of Bangor, Landaff, St. Davids, and St. Asaph, and giving a recompense therefore to the bishops of the said respective dioceses: and for confirming several letters patents granted by her Majesty, for perpetually annexing a prebend of Gloucester to the mastership of Pembroke college in Oxford; and a prebend of Rochester to the provostship of Oriel college in Oxford; and a prebend of Norwich to the mastership of Catharine hall in Cambridge.

WHEREAS by an act of parliament passed in the one and ^{21 H. 8. c. 6} ~~twentieth~~ ^{sect. 7.} year of the reign of the late King Henry the Eighth, intituled, An act where mortuaries ought to be paid, for what persons, and how much, and in what case none is due, and by a proviso or clause therein contained, it is provided (among other things) That it shall be lawful to the bishops of Bangor, Landaff, St. Davids, and St. Asaph, to take such mortuaries of the priests within their dioceses and jurisdictions as thencefore had been accustomed; and the bishops of the said dioceses for the time being have accordingly used to demand and take, and continue to demand and take mortuaries upon the death of any clergyman within their said dioceses and jurisdictions; which said mortuaries consisting of several of the best goods of the deceased, do oftentimes amount to a very considerable part of his estate, and the payment thereof does very much lessen that small provision which generally the clergy of those dioceses are able to make for the support of their families, and tends to the great impoverishing of the same: for the remedying whereof for the future, and for abolishing and taking away all mortuaries or corse-presents, and the custom or usage of taking and paying mortuaries or corse-presents upon the death of clergymen within the said dioceses and jurisdictions: and to the end a reasonable recompense and satisfaction for the same may be provided and established for the bishops of the said dioceses for ever: be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and of the commons, in this present parliament assembled, and by the authority of the same, That the said proviso or clause in the said act, and all and every proviso or clause in the same act, so far as the same do or doth relate to the taking any mortuary or corse-present upon the death of any clergyman within the said respective dioceses or jurisdictions, shall immediately, from and after the respective times herein after mentioned, that is to say, within the said diocese of *St. Asaph* from and after the four and twentieth day of June in the year of our Lord one thousand seven hundred and fourteen; and within the said diocese of *Bangor*, immediately from and after such time any rectory *sine cura* shall next happen to be void and be in the collation of the present bishop of the said diocese of *Bangor*, or of any of his successors; and within

The clause in the recited act, so far as it relates to the taking any mortuary in the dioceses of Bangor, Landaff, St. Davids, and St. Asaph, repealed.

the said diocese of *Landaff*, immediately from and after such time as the treasurer'ship, with the prebend thereto annexed, founded in the cathedral church of *Landaff*, shall next happen to be void, such treasurer'ship and prebend being in the collation of the bishop of the said diocese of *Landaff*; and within the said diocese of *St. Davids*, immediately from and after such time as the prebend of *Langamarch*, founded in the collegiate church of *Brecon*, now enjoyed by *John Medley*, archdeacon of *St. Davids*, shall next happen to be void, the same being in the collation of the bishop of *St. Davids*, stand and be absolutely repealed, annulled, and void, and all and every, and any custom, and usage of and for paying, demanding, or taking any mortuary or corse-present, or any goods, thing or things, for or in the name of a mortuary or corse-present, upon the death of any clergyman within the said respective dioceses or jurisdictions, shall, from the respective times aforesaid, for ever, be absolutely abolished and void; and no mortuary or corse-present, or sum or sums of money for or in lieu of the same, or in the name thereof, shall be yielded, paid, answered or satisfied, or be due or payable by any person or persons, to any bishop of either of the said dioceses, or other person or persons claiming by, from, or under any such bishop: and that from and after the respective times aforesaid, it shall not be lawful to or for the respective bishops of the said dioceses, or any of them, their, or any, or either of their successors, farmers, bailiffs, or lessees, or any of them, or any other person or persons whatsoever, claiming by or under such bishops, or any or either of them, to take, receive, or demand of any person or persons, any manner of mortuary or corse-present, or any sum or sums of money, or other thing, for or in the name, lieu or stead of any mortuary or corse-present, or to convene, cite, sue or prosecute any person or persons before any judge spiritual, or in any of her Majesty's courts of law, or other court whatsoever, for the recovery of, or for, touching or concerning any mortuary or corse-present, or any thing in lieu thereof, for or by reason or on account of the death of any priest or clergyman within the said respective dioceses or jurisdictions, at any time after the respective times aforesaid; any thing in the said recited act, or any law, custom or usage whatever, to the contrary notwithstanding.

And the bishops of the said dioceses shall not take any mortuaries after the times limited above.

Recompense to the bishop of *St. Asaph* and his successors, for such mortuaries.

II. And be it further enacted by the authority aforesaid, That in recompense and satisfaction to the bishop of *St. Asaph* and his successors, for such mortuaries as might arise or become due or payable to the said bishop of *St. Asaph*, or his successors, by virtue of the said recited act, upon the death of any priest or clergyman, the rectory *sine cura*, which shall first after the said four and twentieth day of *June* one thousand seven hundred and fourteen, happen to be void, and be in the collation of the bishop of the said diocese of *St. Asaph*, or any of his successors, shall immediately upon such vacancy, and from thenceforth be annexed and united to the said bishoprick of *St. Asaph* for ever, and all and every the profits, rights, dues, benefits and

and advantages whatsoever of the same rectory, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the bishop of the said diocese and his successors for ever.

III. And be it further enacted by the authority aforesaid, That in recompense and satisfaction to the bishop of *Bangor* and his successors, for such mortuaries as might arise or become due or payable to the said bishop of *Bangor*, or his successors, by virtue of the said recited act, upon the death of any priest or clergyman, the rectory *sine Cura*, which shall next happen to be void, and be in the collation of the bishop of the said diocese of *Bangor*, or any of his successors, shall, immediately upon such vacancy, and from thenceforth be annexed and united to the said bishoprick of *Bangor* for ever; and all and every the profits, rights, dues, benefits and advantages whatsoever of the same rectory, or thereto in any wise belonging or appertaining, shall or may be had, received, taken, and enjoyed by the bishop of the said diocese of *Bangor* and his successors for ever.

Recompense
to the bishop
of Bangor, &c.

IV. Provided always, That nothing in this act shall extend to enable any bishop in either of the said dioceses of *St. Asaph* and *Bangor*, to demise, let, or set, and that it shall not be lawful to or for the bishops of either of the said dioceses, or any of their successors, to demise, lease, set, or let to farm, or otherwise, either of such rectories *sine Cura*, annexed and united to the respective bishopricks of *St. Asaph* and *Bangor*, as aforementioned, or any the rights, dues, benefits, or profits thereof, for any longer time than such bishop, by whom any lease of either of the said rectories *sine Cura* shall be made, shall continue bishop of the said diocese; any statute, law, or usage whatsoever to the contrary notwithstanding.

The bishops of
St. Asaph and
Bangor, shall
not lease the
rectories united
to their
bishopricks for
any longer
term than
they continue
bishops.

V. And be it further enacted by the authority aforesaid, That in recompense and satisfaction to the bishop of *Landaff* and his successors, for such mortuaries as might arise or become due or payable to the said bishop of *Landaff*, or his successors, by virtue of the said recited act, upon the death of any priest or clergyman, whensoever the treasurer'ship, with the prebend thereto annexed, founded in the cathedral church of *Landaff*, shall next happen to be void, the said treasurer'ship and prebend shall, immediately upon such vacancy, and from thenceforth be annexed and united to the said bishoprick of *Landaff* for ever; and all and every the profits, rights, dues, benefits, and advantages whatsoever, of the said treasurer'ship and prebend, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the bishop of the said diocese of *Landaff* and his successors for ever.

Recompense
to the bishop
of Landaff.

VI. And be it further enacted by the authority aforesaid, That in recompense and satisfaction to the bishop of *St. Davids* and his successors, for such mortuaries as might arise or become due or payable to the said bishop of *St. Davids*, or his successors, by virtue of the said recited act, upon the death of any priest or clergyman, whensoever the said prebend of *Langamarch* shall next

To the bishop
of St. Davids.

happen to be void, the said prebend shall, immediately upon such vacancy, and from thenceforth be annexed and united to the said bishoprick of *St. Davids* for ever; and all and every the profits, rights, dues, benefits, and advantages whatsoever, of the same prebend, or thereto in any wise belonging or appertaining, shall or may be had, received, taken and enjoyed by the bishop of the said diocese of *St. Davids* and his successors for ever, in as full and ample manner as the said *John Medley* now hath or enjoyed, or might or ought to have and enjoy the same.

The Queen's letters patents to the master of Pembroke college, and to the provost of Oriel college in Oxon, and to the warden of Katherine hall in Cambridge, confirmed.

VII. *And whereas her Majesty has been graciously pleased, by her letters patents under the great seal of Great Britain, bearing date at Westminster the eleventh day of November in the twelfth year of her reign, to incorporate Collwell Brickenden doctor in divinity, the master of Pembroke college in the university of Oxford, and his successors, masters of the same college, by the name, stile and title of master of Pembroke college in the university of Oxford; and did thereby grant to the said master and his successors, masters of the same college, for their better support and maintenance, that canonship or prebend in the cathedral church of the holy and undivided Trinity of Gloucester, which should first happen to be void, and in the gift of her Majesty, her heirs and successors, from and after the date of the said grant; to have and to hold the said canonship or prebend, to the said Collwell Brickenden master of the said college, and his successors, masters of the same college, of her Majesty, her heirs and successors, in pure and perpetual alms, for and during his and their respective continuance in the said mastership; and did thereby likewise unite such canonship or prebend, as aforesaid, to the said corporation for ever: and whereas her Majesty has been also graciously pleased, by other her letters patents under the great seal of Great Britain, bearing date at Westminster the fourteenth day of January in the twelfth year of her reign, to incorporate George Carter doctor in divinity, the provost of Oriel college in the university of Oxford, and his successors, provosts of the same college, by the name, stile and title of provost of the house of the blessed virgin Mary in Oxon, commonly called Oriel college, of the foundation of Edward the Second, some time King of England, of famous memory; and did thereby grant to the said provost, and his successors, provosts of the same college, for their better support and maintenance, that canonship or prebend in the cathedral church of Christ, and of the blessed virgin Mary of Rochester, which should first happen to be void, and in the gift of her Majesty, her heirs and successors, from and after the date of the said grant; saving always the right of the arch-deacons of the said church for the time being, to one of the said canonships, by virtue of a former grant; to have and to hold the said canonship or prebend, to the said George Carter, provost of the said college, and his successors, provosts of the same college, of her Majesty, her heirs and successors, in pure and perpetual alms, for and during his and their continuance in the said provostship; and did thereby likewise unite such canonship or prebend, as aforesaid, to the said corporation for ever: and whereas her Majesty has been further graciously pleased, by other her letters patents under the great seal of Great Britain, bearing date at Westminster the six*

and twentieth day of April in the thirteenth year of her reign, to incorporate Thomas Sherlock doctor in divinity, master or warden of St. Catharine's college or hall in the university of Cambridge, and his successors, masters or wardens of the said college or hall, by the name, stile, and title of master or warden of St. Catharine's college or hall in the university of Cambridge; and did thereby grant to the said master or warden, and his successors, masters or wardens of the same college or hall, for their better support and maintenance, that canonship or prebend in the cathedral church of the holy and undivided Trinity in Norwich, of the foundation of King Edward the Sixth, which should first happen to be void, and in the gift of her Majesty, her heirs and successors, from and after the date of the said grant; to have and hold the said canonship or prebend to the said Thomas Sherlock, master or warden of the said college or hall, and his successors, masters or wardens of the same college or hall, of her Majesty, her heirs and successors, in pure and perpetual alms for and during his and their continuance in the said mastership or wardenship; and did thereby likewise unite such canonship or prebend, as aforesaid, to the said corporation for ever; as by the said several and respective recited letters patents (relation being thereunto had) may more fully and at large appear: be it therefore enacted by the authority aforesaid, That the said several and respective recited letters patents, and all and singular the clauses, articles and things therein respectively contained, shall be and are hereby ratified and confirmed, and the said several and respective canonships or prebends shall be, from time to time, for ever, held and enjoyed, according to the true intent and meaning of the several and respective letters patents above recited.

VIII. And be it further enacted, That this act shall be taken and allowed in all courts within this kingdom as a publick act. A publick act.

IX. Saving nevertheless, and always reserved unto her Majesty, her heirs and successors, all and singular first-fruits and tenths, in any wise due or payable to her Majesty, her heirs and successors, for or in respect of such rectories *sine Cura*, and tithes, and prebend thereunto annexed, founded in the cathedral church of *Landaff*, and the said prebend of *Langamarch*, and all such right and title, as her said Majesty hath in or to such first fruits and tenths, or any of them, and which shall continue to be levied and paid in like manner as heretofore; any thing herein contained to the contrary in any wise notwithstanding. Saving to the crown all first fruits, &c. for such rectories, &c.

X. Saving also to the Queen's majesty, her heirs and successors, and to the respective lessee or lessees of the said treasurership, and prebend thereunto annexed, founded in the cathedral church of *Landaff*, and to the said prebend of *Langamarch*, and to all and every other person or persons whatsoever, all such estate, right, title and interest, in, to, or out of the said treasurership and prebend thereto annexed, and the said prebend of *Langamarch*, as any such lessee or lessees, or other person or persons, have or might have or claim, in, to, or out of the said treasurership and prebend thereunto annexed, and the said prebend of *Langamarch*, if this act had not passed. Another saving to the lessees, &c.

CAP. VII.

An act to prevent the growth of schism, and for the further security of the churches of England and Ireland, as by law established.

23 & 24 Car. 2.
c. 4.

WHEREAS by an act of parliament made in the thirteenth and fourteenth years of his late majesty King Charles the Second, intituled, An act for the uniformity of publick prayers, and administration of sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating bishops, priests and deacons in the church of England, it is, amongst other things enacted, That every schoolmaster keeping any publick or private school, and every person instructing or teaching any youth in any house or private family, as a tutor or schoolmaster, should subscribe before his or her respective archbishop, bishop or ordinary of the diocese, a declaration or acknowledgement, in which, amongst other things was contained, as follows, viz. I A. B. do declare, That I will conform to the liturgy of the church of England, as it is now by law established; and if any schoolmaster, or other person instructing or teaching youth in any private house or family, as a tutor or schoolmaster, should instruct or teach any youth as a tutor or schoolmaster before licence obtained from his respective archbishop, bishop or ordinary of the diocese, according to the laws and statutes of this realm, for which he should pay twelve pence only, and before such subscription and acknowledgement made, as aforesaid, then every such schoolmaster and other instructing and teaching, as aforesaid, should, for the first offence, suffer three months imprisonment without bail or mainprize, and for every second and other such offence should suffer three months imprisonment without bail or mainprize, and also forfeit to his Majesty the sum of five pounds: and whereas notwithstanding the said act, sundry papists and other persons dissenting from the church of England, have taken upon them to instruct and teach youth as tutors or schoolmasters, and have for such purpose openly set up schools and seminaries, whereby, if due and speedy remedy be not had, great danger might ensue to this church and state: for the making the said recited act more effectual, and preventing the danger aforesaid, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person or persons who shall, from and after the first day of August next ensuing, keep any publick or private school or seminary, or teach and instruct any youth as tutor or schoolmaster, within that part of Great Britain called England, the dominion of Wales, or town of Berwick upon Tweed, before such person or persons shall have subscribed so much of the said declaration and acknowledgement, as is before recited, and shall have had and obtained a licence from the respective archbishop, bishop, or ordinary of the place, under his seal of office (for which the party shall pay one shilling, and no more, over and above the duties payable to her Majesty

None shall keep a school in England, &c. before he has subscribed so much of the declaration in the recited act, as above, and obtained a licence from the bishop, &c.

Majesty for the same) and shall be thereof lawfully convicted, upon an information, presentment, or indictment, in any of her Majesty's courts of record at *Westminster*, or at the assizes, or before justices of *oyer and terminer*, shall and may be committed to the common gaol of such county, riding, city, or town corporate, as aforesaid, there to remain without bail or mainprize, for the space of three months, to commence from the time that such person or persons shall be received into the said goal.

On penalty of 3 months imprisonment.

II. Provided always, and be it hereby enacted, That no licence shall be granted by any archbishop, bishop, or ordinary, unless the person or persons who shall sue for the same, shall produce a certificate of his or their having received the sacrament according to the usage of the church of *England*, in some parish church, within the space of one year next before the grant of such licence, under the hand of the minister and one of the church wardens of the said parish, nor until such person or persons shall have taken and subscribed the oaths of allegiance and supremacy, and abjuration, as appointed by law, and shall have made and subscribed the declaration against transubstantiation, contained in the act made in the twenty fifth year of the reign of King *Charles* the Second, intituled, *An act for preventing dangers which may happen from popish recusants*, before the said archbishop, bishop, or ordinary; which said oaths and declarations, the said archbishop, bishop, or ordinary, are hereby empowered and required to administer and receive; and such archbishops, bishops, and ordinaries, are required to file such certificates, and keep an exact register of the same, and of the taking and subscribing such oaths and declarations.

Bishop not to grant such licence without certificate of the person's having received the sacrament, taken the oaths, &c. in 25 Car. 2. c. 2.

III. And be it further enacted by the authority aforesaid, That any person who shall have obtained a licence, and subscribed the declarations, and taken and subscribed the oaths, as above appointed, and shall at any time after, during the time of his or their keeping any publick or private school or seminary, or instructing any youth as tutor or schoolmaster, knowingly or willingly, resort to, or be present at any conventicle, assembly, or meeting, within *England*, *Wales*, or town of *Berwick upon Tweed*, for the exercise of religion in any other manner than according to the liturgy and practice of the church of *England*, or shall knowingly and willingly be present at any meeting or assembly for the exercise of religion, although the liturgy be there used, where her Majesty (whom God long preserve) and the elector of *Brunswick*, or such others as shall, from time to time, be lawfully appointed to be prayed for, shall not there be prayed for in express words, according to the liturgy of the church of *England*, except where such particular offices of the liturgy are used, wherein there are no express directions to pray for her Majesty and the royal family, shall be liable to the penalties in this act, and shall from thenceforth be incapable of keeping any publick or private school or seminary, or instructing any youth as tutor or schoolmaster.

Person having a licence, and resorting to any conventicle, &c. liable to the penalties in this act, and disabled from keeping any school.

Penalty of
teaching any
other cate-
chism than
that in the
common
prayer book.

Punishment of
keeping
schools with-
out licence.

None to be
punished
twice.

No second
prosecution
shall be while
a former is
depending.

Not to extend
to tutors in
colleges, &c.
nor in noble-
mens families.

Provided they
qualify them-
selves.

Nor to fo-
reigners of
reformed
churches.

Conforming
after convic-
tion as by this
act, shall be
again capable

IV. And be it further enacted by the authority aforesaid, That if any person licensed, as aforesaid, shall teach any other catechism than the catechism set forth in the book of common prayer, the licence of such person shall from thenceforth be void, and such person shall be liable to the penalties of this act.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful, to and for the bishop of the diocese, or other proper ordinary, to cite any person or persons whatsoever, keeping school or seminary, or teaching without licence as aforesaid, and to proceed against, and punish such person or persons by ecclesiastical censure, subject to such appeals as in cases of ordinary jurisdiction; this act or any other law to the contrary notwithstanding.

VI. Provided always, That no person offending against this act shall be punished twice for the same offence.

VII. Provided always, That where any person shall be prosecuted without fraud or covin in any of the courts aforesaid, for any offence contrary to this act, the same person shall not be afterwards prosecuted for the same offence in any of the said courts whilst such former prosecution shall be pending, and carried on without any wilful delay; and in case of any such after-prosecution, the person so doubly prosecuted may alledge, plead, or shew forth in his defence against the same, such former prosecution pending, or judgment, or sentence thereupon given, the said pleader first making oath before the judge or judges of the court where such after-prosecution shall be pending, and which said oath he or they are hereby impowered and required to administer, that the said prior-prosecution was not commenced or carried on by his means, or with his consent or procurement, or by any fraud or collusion of any other person to his knowledge or belief.

VIII. Provided always, That this act, or any thing therein contained, shall not extend, or be construed to extend, to any tutor teaching or instructing youth in any college or hall, within either of the universities of that part of *Great Britain* called *England*, nor to any tutor who shall be employed by any nobleman or noblewoman, to teach his or her own children, grand-children, or great grand-children only, in his or her family; provided such tutor, so teaching in any nobleman or noblewoman's family, do in every respect qualify himself according to this act, except only in that of taking a licence from the bishop.

IX. Provided also, That the penalties in this act shall not extend to any foreigner, or alien of the foreign reformed churches, allowed, or to be allowed by the Queen's majesty, her heirs or successors, in *England*, for instructing or teaching any child or children of any such foreigner or alien only, as a tutor or school-master.

X. Provided always, and be it further enacted by the authority aforesaid, That if any person who shall have been convicted, as aforesaid, and thereby made incapable to teach or instruct any youth, as aforesaid, shall, after such conviction, conform to the church

church of *England* for the space of one year, without having been present at any conventicle, assembly, or meeting, as aforesaid, and receive the sacrament of the Lord's supper according to the rites and usage of the church of *England*, at least three times in that year, every such person or persons shall be again capable of having and using a licence to teach school, or to instruct youth as a tutor or schoolmaster, he or they also performing all that is made requisite thereunto by this act.

XI. Provided also, and be it further enacted, That every such person so convicted, and afterwards conforming, in manner as aforesaid, shall, at the next term after his being admitted to, or taking upon him to teach or instruct youth, as aforesaid, make oath in writing in some one of her Majesty's courts at *Westminster*, in publick and open court, or at the next quarter sessions for that county or place where he shall reside, between the hours of nine and twelve in the forenoon, that he hath conformed to the church of *England* for the space of one year before such his admission, without having been present at any conventicle, assembly or meeting, as aforesaid, and that he hath received the sacrament of the Lord's supper at least three times in the year, which oath shall be there inrolled, and kept upon record.

Persons conforming after conviction, to make oath of their having conformed.

XII. Provided always, That this act shall not extend, or be construed to extend, to any person, who as a tutor, or schoolmaster, shall instruct youth in reading, writing, arithmetick, or any part of mathematical learning only, so far as such mathematical learning relates to navigation, or any mechanical art only, and so as such reading, writing, arithmetick or mathematical learning, shall be taught in the *English* tongue only.

Not to extend to such as teach to read, write, &c.

XIII. And whereas by an act of parliament made in *Ireland*, in the seventeenth and eighteenth years of his said late majesty King *Charles* the Second, intituled, *An act for the uniformity of publick prayers, and administration of the sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating of bishops, priests, and deacons in the church of Ireland*; it is enacted, concerning schoolmasters and other persons instructing youth in private families in *Ireland*, as in and by the above recited act is enacted concerning schoolmasters and others instructing youth in private families in that part of *Great Britain* called *England*: and whereas it is reasonable, that where the law is the same, the remedy and means for enforcing the execution of the law should be the same; be it therefore enacted by the authority aforesaid, That all and every the remedies, provisions, and clauses, in and by this act given, made, and enacted, shall extend, and be deemed, construed, and adjudged to extend to *Ireland*, in as full and effectual manner, as if *Ireland* had been expressly named and mentioned in all and every the clauses in this act.

This act shall extend to *Ireland*.

Repealed by 5 George 1. cap. 4.

CAP. VIII.

An act for encouraging the tobacco trade.

7 & 8 W. 3.
c. 10. and
3 Jac. 2. c. 4.

WHEREAS by an act made in the seventh year of the reign of the late King William the Third, intituled, An act for continuing several duties granted by former acts upon wines and vinegar, and upon tobacco and East India goods, and other merchandizes imported, for carrying on the war against France, the methods prescribed for collecting the impost duty upon tobacco, granted by an act passed in the first year of the reign of King James the Second, are altered, and, among other things, it is enacted, That on any payment of the said duty for tobacco to be consumed here, there be an allowance of eight pounds per cent. for the merchant's encouragement, in consideration of waste and shrinkage in the cellars, and an allowance of four pounds per cent. in consideration of waste that may arise on any tobacco exported within the time allowed by law, to be struck off only from the entries, and not to be paid where the whole quantity entered shall happen to be exported; both which acts are since continued, and are now in force: and whereas by law there are several other duties payable on the importation of tobacco, but no provision is made thereby for giving any allowance out of the same, in consideration of waste or shrinkage, as aforesaid; and it being reasonable that the manner of collecting the several duties upon tobacco should be in one uniform method, and that the same allowance for waste and shrinkage on the consumption here, should be granted to the exporters, for the preservation and improvement of that most beneficial trade, which, for many years past, hath greatly declined; be it enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of June one thousand seven hundred and fourteen, during the term of five years, and from thence to the end of the then next session of parliament, there shall, for the better encouragement of the said consumption and export trade, be an allowance of eight pounds per cent. made to the merchant at importation, out of all the duties payable upon tobacco, instead of the aforesaid eight pounds, and four pounds per cent. which by the before recited acts are to be allowed only out of the impost duty, and which said allowance of eight pounds per cent. out of all the said duties, shall not be deducted from the merchants on exportation; any law or custom to the contrary notwithstanding.

After, June
1714. for five
years, 81. per
cent. allowed
out of all the
duties on to-
bacco.

Not to be de-
ducted on ex-
portation.

32 Car. 2. c. 4.

3 Jac. 2. c. 4.

II. And whereas by the act of tonnage and poundage made in the twelfth year of the reign of King Charles the Second, and by the book of rates therunto annexed, an additional duty of one penny per pound was made payable for all tobacco of the English plantations, upon giving security for payment of the same at nine months after the importation: and whereas by the said act made in the first year of the reign of the late King James the Second, a duty of impost of three pence per pound was laid on the same tobacco, and six pence per pound on all tobacco of foreign plantations, the method of collecting which impost duty was altered

altered by the said act made in the seventh year of the reign of the late King William the Third, and thereby the payment thereof was to be at the end of eighteen months, with certain discounts at different rates for prompt payment within the respective times thereby limited: and whereas by an act made in the ninth year of the reign of his said late majesty King William the Third, a further subsidy of one penny per pound was laid on all tobacco of the English plantations, payable in three months from the importation, upon security: and whereas by one other act made in the second year of her Majesty's reign, a duty of one third part of one penny per pound was made payable on the same tobacco, and the importer to have nine months for the payment thereof, on sufficient security; all which acts before mentioned are, by several subsequent acts, since continued, and are now in force: and whereas the payment of the said several duties, at the different times, as before mentioned, according to the respective acts of parliament, has by experience been found prejudicial and burdensome to trade, and a loss to the revenue; for prevention whereof for the future, be it further enacted by the authority aforesaid, That from and after the first day of June one thousand seven hundred and fourteen, during the term of five years, and from thence to the end of the then next session of parliament, all the said several and respective duties on tobacco, granted by the aforementioned acts of parliament, and since continued, shall be due and payable, during the term aforesaid, at the end of eighteen months, to commence at the end of thirty days after the master's report of the ship, or to commence from the merchant's entry of the goods within those thirty days, which shall first happen, and the bond or bonds to be given for the same, shall be made payable at the end of eighteen months accordingly; any statute or law to the contrary notwithstanding.

All duties on tobacco to be paid at the end of 18 months.
By 5 Geo. 1. c. 7. this act is continued as long as the duties on tobacco shall continue.

III. Provided always, That if the importer or proprietor of tobacco shall, upon entry thereof, pay ready money for all or any part of the said duties within the said thirty days, or at any time or times within any of the first fifteen months of the said eighteen months, to commence at the end of the said thirty days after the master's report of the ship, he shall, in lieu of all former discounts made for prompt payment, out of all the said duties have an allowance made of ten pounds *per cent. per ann.* for the said fifteen months, or proportionably for so many intestine months of the said fifteen months as shall then remain unexpired, but not to be allowed any discount after the end of fifteen months, nor for any less time than a month; and in case after the importer or proprietor shall have given security, as aforesaid, (which at his election may be in one or more bond or bonds) to pay the said several duties in eighteen months, and shall be desirous to discharge his bond or bonds, or any part thereof, in ready money, sooner than fifteen months, he shall be abated upon the bond or bonds for such prompt payment, so much as the said discount shall amount to, in proportion to such time, but not to be allowed any discount after the end of fifteen months.

Allowance for ready money.

Not to take
away 8l. per
cent. for
shrinkage, nor
5l. in the hun-
dred out of
the subsidies.

IV. Provided also, That nothing in this act contained, is intended to take away the said allowance of eighteen pounds *per cent.* to be made out of the several duties for the merchants encouragement, and in consideration of waste and shrinkage, nor the allowance of five in the hundred, out of the several subsidies, and the said additional duty, by virtue of the respective act of tonnage and poundage, and other acts before recited.

On paying
down the duty
of 1 d. per lb.
tobacco may
be ware-
housed at mer-
chants charge.
22 Car. 2. c. 4.

V. *And whereas several merchants and other persons concerned in the importation of tobacco of the English plantations, are frequently under difficulties, and unable to give good and sufficient security for the payment of the several duties imposed thereon: and whereas putting the same into proper warehouses may not only be an ease and convenience to the importers thereof, but also a security to her Majesty's revenue,* be it therefore enacted by the authority aforesaid, That from and after the first day of *June* one thousand seven hundred and fourteen, during the term of five years, and from thence to the end of the then next session of parliament, in case any person importing any of the said tobacco, shall pay down in ready money the subsidy of one penny *per pound* due and payable to her Majesty by the act of the twelfth year of the reign of his late majesty King *Charles* the Second, or by any act or acts continuing the same, and shall then desire to have the said tobacco put into warehouses, under the Queen's and the merchant's locks, for the security of the remainder of the duties, the merchant or his servants shall have free access into the said warehouses, at all seasonable times; and the custom-house officers are hereby required to attend, without fee or reward: and it shall and may be lawful for the commissioners or principal officers of the customs, to permit and cause the said tobacco to be lodged and put into warehouses (to be provided by and at the charge of the merchants, and to be first approved by the said commissioners or officers) upon the merchant's giving his own bond for payment of the duties at the end of fifteen months; and if the importer or importers of such tobacco, as has been so lodged in the warehouses, shall not, within the said time of fifteen months, offer good and sufficient security for payment of the duties at the end of the said eighteen months, or by debentures on exportation of such tobacco, or payment of the several duties for which his own bond hath been given, discharge his or their obligations, or any part thereof, but that the tobacco, or any part thereof, shall continue and be still remaining in the said warehouses, for want of the payment of the duties due thereon; in such case it shall be lawful for the said commissioners, or principal officers of the customs for the time being, and who are hereby required and empowered, to cause the said tobacco so remaining to be publicly sold by inch of candle, first giving the proprietor or proprietors fourteen days notice, or leaving the same in writing at the place of his or their last abode, the product thereof, after such sale, first to be applied towards payment of the customs and charges that have been expended thereon, and the overplus, if any, to be rendered

Merchant to
give his own
bond to pay
the duties at
15 months
end,

else to be sold
by inch of
candle.

dred and paid to the proprietor, or other person lawfully authorized to receive the same.

VI. Provided always, That in case any tobacco put into the Tobacco
said warehouses, and so locked up, as aforesaid, shall be burnt burnt in the
or destroyed by fire, during the time it remains in the said ware- warehouses,
houses, the proprietors or owners of such tobacco shall be allow- duties to be
ed the duties paid, and the bond shall be discharged for so much allowed, and
thereof as shall have been so burnt or destroyed bond dis- charged.

VII. And whereas divers great quantities of tobacco of the English For tobacco in
plantations have been imported for some time, but by reason of the the river un-
deadness of the tobacco trade, occasioned by the length of the late war, entred,
the importers or proprietors thereof have not entred the said tobacco,
and paid or secured the duties for the same, as the law requires; for re-
lief therefore of the said importers or proprietors of the said to-
bacco in this special case, be it further enacted by the authority
aforesaid, That the time of importation of all such tobaccoes, Time of im-
as are already imported, and not entred, shall be reckoned to portation to be
be from the second day of June one thousand seven hundred and reckoned from
fourteen, in like manner as if the masters of the said ships or 2 June 1714.
vessels had made report of their several loadings on that day; and
the importers or proprietors of such tobacco shall pay or secure
the duties, and have and enjoy the several allowances and dis-
counts, and be entituled to draw back the duties, as fully and
in like manner as if the said tobacco had been imported, and
the masters of the ships had made their respective reports of their
loadings, on the said second day of June one thousand seven hun-
dred and fourteen; any law, usage or custom, to the contrary
in any wise notwithstanding.

VIII. And whereas it hath been found by experience, that her Ma- No allowance
jesty's revenue suffers great prejudice, as well by allowances for da- for damaged
maged tobacco, as by the obtaining a drawback by debenture on the re- tobacco.
shipping the same, as if such tobacco had been sound and good, and
paid the duties at importation; for preventing the like abuses for
the future, be it further enacted by the authority aforesaid,
That from and after the first day of August one thousand seven
hundred and fourteen, within or during the term of five years
thence next ensuing, or at any time before the end of the then
next session of parliament, no merchant or other person what-
soever shall have any allowance or abatement for the subsidies or
other duties made him, for any sort of tobacco imported, or to
be imported, under pretence of such tobacco being corrupt or
unmerchantable: but in case any merchant or other person shall Merchant re-
refuse to make entry of such damaged tobacco, and to pay and fusing to pay
secure the whole duties due and payable for the same, then he the duties,
or they shall have liberty to separate from his or their tobacco, such tobacco
so much thereof as they shall refuse to pay custom for; and the to be destroy-
principal officers of her Majesty's customs, or any two or more ed, &c.
of them, shall cause all such corrupt tobacco to be weighed and
publicly burnt, or otherwise destroyed as not wholesome and fit
for use; and the owner or importer thereof shall be discharged
from paying or securing any subsidy, or other duties for the same.

to her Majesty; any law, custom or usage, to the contrary in any wife notwithstanding.

Owner to be
allowed 25 lb.
for every
200 lb.

IX. Provided always, and be it further enacted by the authority aforesaid, That every owner or importer of such damaged and corrupt tobacco shall, as a compensation for freight and other charges, and for that the cutting off, and separating the same, may deface the remainder of the tobacco, have an allowance of twenty-five pounds weight of tobacco, free of all duties, for every one hundred pounds of such corrupt and damaged tobacco so separated, to be burnt or destroyed, as aforesaid, and so in proportion for any greater or lesser quantity; which allowance of twenty-five pounds for every one hundred pounds of tobacco so to be made, as aforesaid, shall be by certificate; and the officers are hereby required to make, pass, and pay such certificate without fee or reward, the tobacco mentioned in such certificate not to be placed to the merchant's export account, so as such allowance of twenty-five pounds of tobacco for every one hundred pounds of damaged tobacco so separated or destroyed, does not exceed the quantity of one hundred and fifty pounds of tobacco, upon or for any hoghead of *Arranaco* tobacco, or the quantity of two hundred pounds of tobacco, upon or for any hoghead of sweet-scented tobacco.

The allowance
to be by cer-
tificate,

and not to be
placed to the
export ac-
count, &c.

Not to hinder
former allow-
ances, not ex-
ceeding 40 lb.
on any one
hoghead.

X. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall be construed to forbid or hinder the merchants or importers having an allowance made them for damaged tobacco, in such manner as hath been usual, so as such allowance doth not exceed forty pounds weight of tobacco upon any one hoghead; and for the more ready dispatch of business, such small damages, not exceeding forty pounds weight on any one hoghead, shall be viewed, and the allowance made in the scale; any thing herein contained to the contrary notwithstanding.

Goods in
warehouses
unentered to
be sold at
publick sale.
*Altered by 12
Geo. 2. c. 28.
s. 19.*

XI. *And whereas it frequently happens that divers goods and merchandizes are brought into her Majesty's storehouses for want of being entered, and because the duties of tonnage and poundage, and other duties are not paid and secured as the law directs, which goods do remain there divers years, and often so long, until they are perished, and become of no value, whereby the Queen hath lost the whole custom due on the importation of the said goods; for prevention whereof for the future, be it likewise enacted by the authority aforesaid, That from and after the first day of July one thousand seven hundred and fourteen, the commissioners of the customs for the time being shall, in all cases where the goods are or shall be brought into her Majesty's storehouses for security of the customs, and other duties due thereon, as soon as conveniently they can, cause all goods so brought into her Majesty's storehouses, as aforesaid, which shall have remained there for the space of twelve months, the subsidy and other duties not paid, compounded for, or otherwise secured as the law directs, to be publickly sold by auction or inch of candle; and after such sale, the produce thereof is first to be applied to or towards the payment of the freight,*

freight, primage and charges of warehouse-room, and other charges that shall arise thereon, next the customs and duties, and the overplus to be paid to the proprietors, or other persons authorised to receive the same.

XII. *And whereas an act passed in the eighth year of her Majesty's reign for continuing several impositions, additional impositions, and duties upon goods imported, to raise money by way of loan for the service of the year one thousand seven hundred and ten, and for better preventing frauds in drawbacks upon certificate goods, and for other purposes therein mentioned; in which act there were several regulations enacted to be complied with, in order to intitle the exporters of tobacco to their debentures; which new regulations, being made to commence from the twenty-seventh day of March one thousand seven hundred and ten, by which time the same could not be known in Scotland, several parcels of tobacco through ignorance, were exported from thence without regard to the regulations laid down in the said act, the debentures of which tobacco have been refused to be made forth and allowed to the merchants upon that account only; be it therefore enacted by the authority aforesaid, That for all tobacco exported from Scotland, after the twenty-seventh day of March one thousand seven hundred and ten, and before the sixteenth day of April following, the barons of the Exchequer in Scotland shall cause the debentures to be made forth, and allowed to the merchants, according to the laws in force before the said twenty-seventh day of March one thousand seven hundred and ten; any thing in the aforesaid act to the contrary notwithstanding.*

For all tobacco exported from Scotland between 27 March and 16 April 1710. Exchequer there to make out debentures.

XIII. *And whereas there has been some doubt whether the deputations or authorities granted to collectors, surveyors, or other inferior officers of the customs, do remain in force upon the death or removal of any of the commissioners of the customs, by whom the deputations were granted; be it enacted and declared by the authority aforesaid, That all such collectors, surveyors, or other inferior officers of the customs, who are or have been, or shall be hereafter deputed or appointed, as aforesaid, shall be deemed to remain and continue in their respective offices and employments, notwithstanding the death or removal of any of the commissioners of the customs, who deputed and appointed such officers, until the deputations of such officers respectively shall be by the said commissioners, or any superior authority, revoked, annulled, or made void. Continued by 5 Geo. 2. c. 7.*

Deputations in force, notwithstanding the death, &c. of commissioners.

CAP. IX.

An act for laying additional duties on soap and paper, and upon certain linens, silks, callicoes and stuffs, and upon starch, and exported coals, and upon stamp vellum, parchment and paper, for raising one million four hundred thousand pounds by way of a lottery, for her Majesty's supply; and for allowances on exporting made wares of leather, sheep skins, and lamb skins, and for distribution of four thousand pounds due to the officers and seamen for gun-money; and to adjust the property of tickets in former lotteries; and touching certain shares of stock in the capital of the South Sea company; and for appropriating the monies granted to her Majesty.

For the application of the surplus of the duties hereby granted, see 2 Geo. 2. c. 3. s. 2. for payment of annuities to the bank.

MAY it please your most excellent Majesty, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous that such supplies as are necessary for defraying your Majesty's publick expences, maybe effectually raised, have therefore chearfully and unanimously given and granted, and do by this act give and grant unto your Majesty the several and respective rates and duties for and upon all soap made in Great Britain, or imported into the same; and for and upon all paper made in Great Britain, or imported into the same; and for and upon all chequered and striped linens to be imported into Great Britain; and for and upon certain silks, callicoes, and other enumerated goods, which shall be printed, painted, stained, or dyed in Great Britain; and for and upon all starch made in Great Britain; and for and upon all coals exported for foreign parts; and for and upon such stamp vellum, parchment and paper, and other things hereafter in this act more particularly described or mentioned, for and during such term or terms of years, and in such manner and form, as are herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all soap of what kind soever, which at any time or times, within or during the term of two and thirty years, to be reckoned from the second day of August in the year of our Lord one thousand seven hundred and fourteen, shall be imported or brought into the kingdom of Great Britain, or made within the same, the several and respective additional or new duties herein after described or mentioned (over and above all customs, subsidies, rates and duties chargeable upon such soap, or any part thereof, by any other act or acts of parliament now in force) that is to say, For every pound weight, consisting of sixteen ounces

For 32 years, from 2 Aug. 1714. Soap imported to pay the additional duty of 1d. per lb. Made perpetual by 6 Geo. 1. c. 4. s. 1.

ounces *overduplis*, of such sope so to be imported or brought in-
to the said kingdom, within or during the term aforesaid, one
penny, and after that rate for a greater or lesser quantity, to be
paid down in ready money by the importers thereof, from time
to time, before the landing of the same; and for every such Sope made in
Great Britain
ob. per lb.
pound weight of sope to be made in the said kingdom of *Great
Britain*, within and during the term aforesaid, one halfpenny,
and after that rate for a greater or lesser quantity, to be paid by
the makers thereof respectively.

II. And be it further enacted by the authority aforesaid, That Additional
duty upon
paper, past-
board, &c.
Made perpetual
by 6 Geo. 1.
c. 4. s. 1.
there shall be raised, levied, collected and paid, unto and for
the use of her Majesty, her heirs and successors, for and upon
all paper of what kind soever, and all pastboards, millboards
and scaleboards, which at any time or times within or during
the term of two and thirty years, to be reckoned from the said
second day of *August* one thousand seven hundred and fourteen,
shall be imported or brought into the kingdom of *Great Britain*
(printed books, maps, and other prints, always excepted) the
several and respective rates and duties herein after expressed (over
and above the present customs, subsidies and duties upon the
same commodities respectively) that is to say,

For and upon all paper usually called or known by the name *Atlas Fine*
of *Atlas Fine*, which shall be imported or brought in, as afore-
said, the sum of eight shillings for every ream, and after that
rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Atlas Ordinary*
of *Atlas Ordinary*, which shall be imported or brought in, as a-
foresaid, the sum of four shillings for every ream, and after that
rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Imperial Fine*
of *Imperial Fine*, which shall be imported or brought in, as a-
foresaid, the sum of eight shillings for every ream, and after that
rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Super Royal Fine*
of *Super Royal Fine*, which shall be imported or brought in, as
aforesaid, the sum of six shillings for every ream, and after that
rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Royal Fine*
of *Royal Fine*, which shall be imported or brought in, as afore-
said, the sum of four shillings for every ream, and after that rate
for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Medium Fine*
of *Medium Fine*, which shall be imported or brought in, as afore-
said, the sum of three shillings for every ream, and after that rate
for any greater or lesser quantity.

For and upon all paper usually called or known by the name *Demy Fine*
of *Demy Fine*, which shall be imported or brought in, as afore-
said, the sum of two shillings for every ream, and after that rate
for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Demy Second*
of

of *Demy Second*, which shall be imported or brought in, as aforesaid, the sum of one shilling and three pence for every ream, and after that rate for a greater or lesser quantity.

Demy Printing. For and upon all paper usually called or known by the name of *Demy Printing*, which shall be imported or brought in, as aforesaid, the sum of ten pence for every ream, and after that rate for a greater or lesser quantity.

Fine Holland Royal. For and upon all paper usually called or known by the name of *Fine Holland Royal*, which shall be imported or brought in, as aforesaid, the sum of one shilling and seven pence halfpenny for every ream, and after that rate for a greater or lesser quantity.

Fine Holland Second. For and upon all paper usually called or known by the name of *Fine Holland Second*, which shall be imported or brought in, as aforesaid, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

Blue Royal. For and upon all paper usually called or known by the name of *Blue Royal*, which shall be imported or brought in, as aforesaid, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

Painted Paper imported. For and upon all painted paper, which shall be imported or brought in, as aforesaid, the sum of four shillings for every ream, and after that rate for a greater or lesser quantity.

Cartridge Paper. For and upon all paper usually called or known by the name of *Cartridge Paper*, which shall be imported and brought in, as aforesaid, the sum of nine pence for every ream, and after that rate for a greater or lesser quantity.

Elephant Fine. For and upon all paper usually called or known by the name of *Elephant Fine*, which shall be imported or brought in, as aforesaid, the sum of four shillings for every ream, and after that rate for a greater or lesser quantity.

Ordinary Elephant. For and upon all paper usually called or known by the name of *Ordinary Elephant*, which shall be imported or brought in, as aforesaid, the sum of one shilling and seven pence halfpenny for every ream, and after that rate for a greater or lesser quantity.

Fine Large Post. For and upon all paper usually called or known by the name of *Fine Large Post*, which shall be imported or brought in, as aforesaid, the sum of one shilling and three pence for every ream, and after that rate for a greater or lesser quantity.

Fine Fools Cap. For and upon all paper usually called or known by the name of *Fine Fools Cap*, which shall be imported or brought in, as aforesaid, one shilling and three pence for every ream, and after that rate for a greater or lesser quantity.

Second Fools Cap. For and upon all paper usually called or known by the name of *Second Fools Cap*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

Bastard or Double Copy. For and upon all paper usually called or known by the name of *Bastard or Double Copy*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name of

of *Blankery Double*, which shall be imported or brought in, as *Chancery Double*, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Super Fine* of *Super Fine Pot*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Second Fine* of *Second Fine Pot*, which shall be imported or brought in, as aforesaid, nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Royal* of *Genoa Royal*, which shall be imported or brought in, as aforesaid, one shilling and seven pence half-penny for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Medium* of *Genoa Medium*, which shall be imported or brought in, as aforesaid, one shilling and three pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Demy* of *Genoa Demy Fine*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Demy* of *Genoa Demy Second*, which shall be imported or brought in, as aforesaid, nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Crown* of *Genoa Crown Fine*, which shall be imported or brought in, as aforesaid, nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Crown* of *Genoa Crown Second*, which shall be imported or brought in, as aforesaid, six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Fool's* of *Genoa Fool's Cap Fine*, which shall be imported or brought in, as aforesaid, nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Genoa Fool's* of *Genoa Fool's Cap Second*, which shall be imported or brought in, as aforesaid, six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *German Lombard* of *German Lombard*, which shall be imported or brought in, as aforesaid, six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *German Demy* of *German Demy*, which shall be imported or brought in, as aforesaid, nine pence for every ream, and after that rate for a greater or lesser quantity.

German
Crown.

For and upon all paper usually called or known by the name of *German Crown*, which shall be imported or brought in, as aforesaid, six pence for every ream, and after that rate for a greater or lesser quantity.

German Fool's
Cap.

For and upon all paper usually called or known by the name of *German Fool's Cap*, which shall be imported or brought in, as aforesaid, six pence for every ream, and after that rate for a greater or lesser quantity.

Pastboard,
Scaleboard,
&c.

For and upon all pastboards, millboards, and scaleboards, which shall be imported or brought in, as aforesaid, two shillings and six pence for every hundred weight, and after that rate for a greater or lesser quantity.

Paper not particularly charged.

In part repealed by 11 Geo. 1. c. 7. sect. 4.

And for and upon all other paper, white or brown, or of any other colour or kind whatsoever, which shall be imported or brought in, as aforesaid, (not being particularly charged in this act) a duty after the rate of ten pounds for every one hundred pounds of the true and real value of the same, and after that rate for a greater or lesser quantity.

To be paid by the importer.

Which said duties for and upon the said several sorts of paper, and the said pastboards, millboards, and scaleboards, to be imported within or during the term aforesaid, shall be paid by the respective importers thereof from time to time.

Paper, pastboards, &c. made in Great Britain.

III. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all paper of what kind soever, and upon all pastboards, millboards, and scaleboards, which shall at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, be made in *Great Britain*, the several and respective duties herein after mentioned, That is to say,

Demy Fine.

For and upon all paper usually called or known by the name of *Demy Fine*, which shall be so made in *Great Britain*, the sum of nine pence for every ream, and after that rate for a greater or lesser quantity.

Demy Second.

For and upon all paper usually called or known by the name of *Demy Second*, which shall be so made in *Great Britain*, the sum of six pence for every ream, and after that rate for a greater or lesser quantity.

Crown Fine.

For and upon all paper usually called or known by the name of *Crown Fine*, which shall be so made in *Great Britain*, the sum of six pence for every ream, and after that rate for a greater or lesser quantity.

Crown Second.

For and upon all paper usually called or known by the name of *Crown Second*, which shall be so made in *Great Britain*, the sum of four pence half-penny for every ream, and after that rate for a greater or lesser quantity.

Fool's Cap Fine.

For and upon all paper usually called or known by the name of *Fool's Cap Fine*, which shall be so made in *Great Britain*, the sum

of six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fool's Cap Second*, which shall be so made in *Great Britain*, the cond. sum of four pence half-penny for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Pots*, of *Fine Pots*, which shall be so made in *Great Britain*, the sum of six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Second Pots*, of *Second Pots*, which shall be so made in *Great Britain*, the sum of three pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called by the name of *Brown Large Cap*, which shall be so made in *Great Britain*, the sum of three pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Small Ordinary Brown*, of *Small Ordinary Brown*, which shall be so made in *Great Britain*, the sum of two pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Whited Brown*, of *Whited Brown*, which shall be so made in *Great Britain*, the sum of three pence for every bundle, each bundle containing forty quires, and after that rate for a greater or lesser quantity.

For and upon all pastboards, millboards and scaleboards, which shall be made in *Great Britain*, one shilling and six pence for every hundred weight, and after that rate for a greater or lesser quantity.

And for and upon all other paper, white or brown, or of any other colour or kind whatsoever, which shall be made in *Great Britain*, as aforesaid, (not being particularly charged in this act) a duty after the rate of six pounds for every hundred pounds of the true and real value of the same, and after that rate for any greater or lesser quantity.

Which said duties for and upon the said several sorts of paper, and other the commodities last mentioned to be made in *Great Britain*, within or during the term aforesaid, shall be paid by the makers thereof respectively.

IV. And it is hereby enacted, That for and upon all paper, which, at any time or times, during the term last mentioned, shall be printed, painted, or stained in *Great Britain*, to serve for hangings, and other uses, there shall be answered and paid to her Majesty (over and above the duties payable for such paper before the printing, painting, or staining thereof) the sum of one half-penny for every yard square, and after that rate for a greater or lesser quantity, to be paid by such person or persons as shall print, paint, or stain the same.

Chequered and striped linens, &c. imported, to pay 1 s. 1. per cent. ad valorem, except buckrams, &c. The duties in this and the next section are made perpetual by 6 Geo. 1. c. 4. s. 1.

VI. And be it also enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all chequered and striped linens, and upon all linens printed, painted, stained, or dyed after the manufacture, or in the thread or yarn before the manufacture, in any foreign parts (excepting buckrams, lawns, canvases, barras, and *Silesia* neckcloths) which at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, shall be imported or brought into the Kingdom of *Great Britain*, and may lawfully be used or worn there (over and above all other customs, subsidies or duties, imposed upon, or payable for the same) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, to be paid by the importers respectively.

Duty on silks, calicoes, linens and stuffs, printed in *Great Britain*.

VI. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all silks, calicoes, linens and stuffs, of what kind soever, which at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, shall be printed, stained, painted, or dyed in *Great Britain* (such calicoes, linens and stuffs, as shall be dyed throughout of one colour only, and stuffs made of woolen, or whereof the greatest part in value shall be woolen, always excepted) the several and respective rates and duties herein after expressed (over and above all other duties payable for the same, or any of them;) That is to say,

Exception.

Silks.

For and upon all silks so printed, stained or painted, within or during the term aforesaid, in *Great Britain* (silk handkerchiefs excepted) the sum of six pence for every yard in length, reckoning half a yard for the breadth.

Silk handkerchiefs.

And for all silk handkerchiefs so printed, stained or painted, within or during the term aforesaid, in *Great Britain*, the sum of one penny for every yard square, and in those proportions for wider or narrower silks.

Calicoes. The duties in this and the next section are made perpetual by 6 Geo. 1. c. 4. s. 1.

For and upon all calicoes to be so printed, stained, painted or dyed, within or during the term aforesaid, in *Great Britain*, (except as aforesaid) the sum of three pence for every yard in length, reckoning one yard wide, and after that proportion.

Linen and stuffs.

And for and upon all linen and stuffs (except before excepted) to be printed, stained, painted or dyed, as aforesaid, in *Great Britain*, within or during the term last mentioned, the sum of one penny half-penny for every yard in length, reckoning yard wide, and after that rate for a greater or lesser quantity.

Starch imported to pay 2 d. per lb.

VII. And be it enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all starch, which

which at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, shall be imported or brought into the kingdom of *Great Britain* (over and above all customs, subsidies and duties, already imposed thereupon) the sum of two pence for every pound weight, consisting of sixteen ounces *overduois*, and after that rate for a greater or lesser quantity, to be paid down in ready money by the importers thereof, from time to time, before the landing of the same; and for and upon all starch, of what kind soever, which at any time or times, within or during the same term of two and thirty years, shall be made within the said kingdom of *Great Britain*, the sum of one penny for every such pound weight *overduois*, and after that rate for a greater or lesser quantity, the same to be paid by the makers thereof respectively.

VIII. And it is hereby declared, That if the charge on starch be made by gauging the said starch before it be dried in the stove, then, and in every such case, every box of green starch, or starch before it be so dried, containing fifty-seven inches in length, and ten inches in breadth, shall from the said second day of *August* one thousand seven hundred and fourteen, be esteemed one hundred thirty-one *overduois* pound weight of starch dried and perfectly made, and shall be charged accordingly, and proportionably for greater or lesser quantities.

IX. And be it enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all coals which at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, shall be shipped to be exported beyond the seas (coals exported to *Ireland*, the *Isle of Man*, or her Majesty's plantations excepted) the duties following, that is to say, for such coals shipped to be exported by foreign bottoms, the sum of five shillings the chalders, *Newcastle* measure (over and above the present duties upon the same;) and for all coals which at any time or times, within or during the same term of two and thirty years, shall be shipped to be exported beyond the seas in *British* bottoms, the sum of three shillings for every chalders, *Newcastle* measure (over and above the present duties payable for the same) and no more; any law to the contrary notwithstanding.

X. And it is hereby enacted and declared by the authority aforesaid, That all the duties imposed by this act upon such rope, paper, pasteboards, millboards, scaleboards, chequered and striped linsens, or any other commodities before charged, as shall be imported into *England*, *Wales*, and the town of *Berwick* upon *Tweed*, during the term or terms aforesaid, and all the duties which shall arise in *England*, *Wales*, or *Berwick* upon *Tweed*, for coals to be exported during the term therein granted, as aforesaid, shall be under the management of the commissioners and officers of the customs in *England* for the time being, according

Made in Great Britain
1 d.
Made perpetual
by 6 Geo. 1.
c. 4. f. 1.
Every box of green starch of 57 inches in length, and 10 in breadth, to be charged as 131 lb. of starch.

The depth of inch box provided for,
1 Geo. 1. stat. 1.
c. 2. f. 6.

Coals exported in foreign bottoms to pay 5s. the chalders,

in British bottoms, 3s.
Made perpetual
by 6 Geo. 1.
c. 4. f. 1.

The import duties to be under the management of the commissioners of the customs.

to the duties of their respective offices ; and that all the duties imposed by this act upon such sope, paper, pastboards, millboards, scaleboards, and chequered and striped linens, or any the commodities before charged, as shall be imported into *Scotland*, during the respective terms aforesaid, and all the duties imposed by this act, which shall arise in *Scotland*, for coals to be exported during the said term therein granted, as aforesaid, shall be under the management of the commissioners and officers of the customs in *Scotland* for the time being, according to the duties of their respective offices ; and that the respective receivers general of the customs in *England* and *Scotland* for the time being shall, from time to time, pay or cause to be paid, all the monies that they shall respectively receive for the said imported commodities, and for the said exported coals (the necessary charges of raising and accounting for the same excepted) into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures and disabilities, as are to be inflicted by this act for diverting or misapplying any monies by this act appropriated or appointed for any the purposes herein after mentioned.

Sope, paper, &c. made in Great Britain, to be under the management of the commissioners of excise.

XI. And be it further enacted by the authority aforesaid, That all the duties imposed by this act upon such sope, paper, pastboard, millboard, scaleboard, starch, and other commodities hereby particularly charged, as shall be made in *England*, *Wales*, or *Berwick upon Tweed*, during the term or terms aforesaid, and all the duties imposed by this act, upon such silks, calicoes, linens, stuffs and paper, as shall be printed, painted, stained or dyed in *England*, *Wales*, or *Berwick upon Tweed*, at any time or times within or during the term or terms therein granted, as aforesaid, shall be under the management of the commissioners of excise in *England* for the time being, and the officers employed or to be employed under them ; and that all the duties imposed by this act upon such sope, paper, pastboard, millboard, scaleboard, starch, and other commodities before particularly charged, as shall be made in *Scotland* during the term or terms aforesaid, and all duties imposed by this act upon such silks, calicoes, linens, stuffs and paper, as shall be printed, painted, stained, or dyed in *Scotland*, at any time or times within or during the term or terms therein granted, as aforesaid, shall be under the management of the commissioners of excise in *Scotland* for the time being, and the officers to be employed under them ; and that the said respective commissioners of excise in *England* and *Scotland* for the time being shall, from time to time, pay or cause to be paid, all the monies that they shall respectively receive for the said duties upon sope, paper, pastboard, millboard, scaleboard and starch, as shall be made in *Great Britain* within or during the respective terms aforesaid, and for the said duties upon such silks, calicoes, linens, stuffs and paper, as shall be printed, painted, stained or dyed in *Great Britain*, at any time or times within or during the respective terms therein granted,

as

as aforesaid, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the like penalties, forfeitures and disabilities, as are to be inflicted by this act for diverting or misapplying any monies by this act appropriated or appointed for any the purposes herein after mentioned.

XII. And it is hereby enacted by the authority aforesaid, That all the several duties by this act imposed, upon soap, paper of all sorts, pastboards, millboards, scaleboards, chequered and striped linens, and upon printed, painted, stained and dyed silks, callicoes, linens and stuffs, during the said term or terms of years, therein by this act granted, in all cases whatsoever (except where other provision or direction is specially made or given by this act) shall be raised, levied, ascertained, secured, collected, answered and paid, by such ways, means and methods, and under such pains, penalties and forfeitures, and with the like discounts, allowances, exemptions and drawbacks, and in such manner and form, as the duties imposed on the same commodities respectively, by an act made in the tenth year of her Majesty's reign, for laying several duties upon soap, paper, chequered and striped linens, and upon certain silks, callicoes, linens and stuffs, printed, painted or stained, (amongst other things thereby charged) for and during the respective terms thereby granted, towards raising the sum of one million eight hundred thousand pounds therein mentioned, or by any act or acts of parliament thereby referred unto, or by any other act of this sessions of parliament are to be raised, levied, ascertained, secured, collected, answered and paid respectively; and that the said duty by this act imposed upon starch, during all the said term of two and thirty years therein by this act granted, shall be raised, levied, ascertained, secured, collected, answered and paid, by such ways, means and methods, and under such pains, penalties and forfeitures, and with the like discounts, allowances, exemptions and drawbacks, and in such manner and form, as the duties imposed by another act of the tenth year of her Majesty's reign, upon starch (amongst other things thereby charged) for and during the term thereby granted, towards raising another sum of one million eight hundred thousand pounds therein mentioned, or by any act or acts of parliament thereby referred unto, are to be raised, levied, ascertained, secured, collected, answered and paid respectively, except in such case or cases, touching which other directions are given by this act; and that the said duties by this act imposed upon coals exported to any foreign parts, (except before excepted) during the said term of years by this act granted of and in the same, shall be raised, levied, ascertained, secured, collected, answered and paid, by such ways, means and methods, and under such pains, penalties and forfeitures, and in such manner and form, as the present duties upon exportation of coals, or any other customable goods, to any foreign parts, by any law or statute now in force, during the continuance thereof, are to be raised, levied, ascertained, secured, collected, answered and paid.

How these several duties shall be raised, &c.

10 Ann. c. 19.

10 Ann. c. 26.

XIII. And

XIII. And for better securing the duties by this act chargeable upon such of the commodities, as by the first mentioned act of the tenth year of her Majesty's reign are directed to be marked or stamped : and to the end the duties arising thereupon by this act may be better distinguished, and applied to the separate use by this act intended, be it further enacted by the authority aforesaid, That such proper stamps or seals shall, on or before the said second day of *August* one thousand seven hundred and fourteen, be provided and distributed by the said respective commissioners, as may serve to denote the payment or charging of the several duties by this and the said former act chargeable on the same commodities respectively ; and that the said stamps or seals by this act directed to be provided, shall be used and applied accordingly, and shall and may, from time to time, be renewed or altered by the said respective commissioners, as often as there shall be a necessary occasion for renewing the same.

Proper stamps
to be provided.

All the powers
in 10 Ann. to
be in force.
10 Ann. c. 19.
& 26.

XIV. And be it also enacted by the authority aforesaid, That all the powers, authorities, rules, directions, pains of death, and other pains, penalties and forfeitures, clauses, matters and things whatsoever, contained in the said several acts of the tenth year of her Majesty's reign, for raising, receiving, levying, recovering, securing and paying the duties on such commodities before mentioned, as are by this act charged with new or additional duties thereupon, or touching the marks or stamps thereby directed to be continued, practised, and put in execution, for raising, receiving, levying, recovering, securing, and paying the same new or additional duties, by this act charged upon the same commodities respectively, and all arrearages thereof, as fully and effectually to all intents and purposes as if they were particularly and at large repeated in the body of this present act, except in such cases only where any alteration therein is specially made by this act.

Persons ex-
porting silks,
&c. to give
notice to the
proper officer
of packing the
said goods,

XV. And whereas great quantities of silks, callicoes and linnens that are printed, painted, stained or dyed in Great Britain, are frequently shipped off in order to be exported, as is pretended, for which the exporter doth receive a very great drawback ; and notwithstanding the law already made to prevent the relanding of them, yet very great quantities are frequently relanded, to the great lessening of her Majesty's revenue, and prejudice of the fair trader ; to prevent which evil practices for the future, and to secure the duties upon the said goods, be it enacted by the authority aforesaid, That from and after the said second day of *August* one thousand seven hundred and fourteen, all and every person and persons that shall export any silks, callicoes or linnens that are printed, painted, stained or dyed, for which a drawback is to be allowed, such person or persons (before he or they shall ship the said goods) in order to obtain the drawback for the same, shall be obliged to give notice to the proper officer or officers to be appointed for that purpose by the respective commissioners of the customs, when and where he will pack up the said goods in order to be exported ; and the said commissioners of the customs are hereby im-

impowered and directed to cause such officer to take care to see that such seal or seals, stamps or marks, be taken off from every piece so intended to be exported; and the said officer or officers shall take an account of the kinds and quantities of the goods so intended to be exported, and make a return thereof to the officer that shall be appointed by such commissioners to receive the same, without any fee or reward for so doing.

XVI. *And whereas* *sope is more or less used in washing, scouring, or preparing the sheeps wool, or lambs wool, to be converted into the woollen manufactures of this realm, and in the making or finishing woollen manufactures, or manufactures mixed with wool, whereof the greatest part of the value of the materials is wool, and in whitening of new linen in the piece, in order to the sale of such linen, or in some of them, and it being judged reasonable to give an encouragement to persons who shall be employed in the preparing, making or finishing those manufactures, whether the same be for exportation or home consumption;* it is hereby further provided and enacted, That it shall and may be lawful to and for any person and persons, who, after the said second day of *August* one thousand seven hundred and fourteen, during the continuance of the duties on sope by this act granted, shall employ, spend and consume any quantity or quantities of sope in the making of any cloths, serges, kerseys, bays, stockings, or other manufactures of sheeps or lambs wool only, or manufactures whereof the greatest part of the value of the materials shall be wool, or in the finishing the said manufactures, or preparing the wool for the same, or in whitening of new linen in the piece, in order to the sale of such linen, or to and for his, her, or their chief workman employed under him, her or them in those works, or any of them, from time to time, to make proof in writing by the affidavit of the said person or persons, who shall so employ, spend and consume the said sope, or of his, her or their chief workman, unless he, she or they be a known quaker or quakers, and by the solemn affirmation of such quaker or quakers, before the collector and supervisor of the district or division where such sope shall be so employed, spent and consumed, or either of them (who are hereby respectively impowered and required to administer the same, upon the request of the manufacturer, or his, her or their chief workman aforesaid) which said affidavit or affirmation shall specify the kinds and quantities of the manufactures so made, finished, prepared or whitened respectively, and the quantities and kinds of the sope which were actually employed, spent and consumed therein, and that no allowance by virtue of this act, was before made to such manufacturers respectively, or for his, her or their benefit, of the duties payable by this act, for the sope so specified in such affidavit or affirmation, or any part thereof; and that upon the making of every such affidavit or affirmation, the said collector out of the money in his hands of the said duties upon sope by this act granted, shall pay to the said manufacturers respectively so much as the whole duties granted by this act, for the sope specified in every such affidavit or affirmation

who is to take care that the seals be taken off from every piece, &c.

On oath or affirmation of the quantity of sope spent in making cloths; &c.

Specifying the manufactures so made, &c.

and that no allowance hath been made before,

Collector to repay the whole duties, &c.

tion

tion taken by the said collector and supervisor jointly, or by the said collector singly; doth amount unto, without any delay; and in case the same were administered by the supervisor only, then upon a certificate thereof made and signed by the said supervisor (which he is hereby required to make and sign upon demand) the said collector shall, out of any monies in his hands of the said duties on sope, forthwith pay to the said manufacturers respectively, the said duties so payable by this act for the sope so spent and consumed, as aforesaid; and in case the collector shall not then have money sufficient in his hands to satisfy such payments, That then and in every such case, the commissioners of the said duties on sope for the time being, upon a certificate thereof from the said collector (who is hereby enjoined and required to make and sign such certificate) shall forthwith cause such payments to be made out of any monies arising by the said duties on sope by this act granted, without any further delay.

Such affidavits, &c. not to be stamped, &c.

XVII. And it is hereby declared and enacted, That the said affidavits, affirmations and certificates, touching the said allowance to the woollen and linen manufacturers aforesaid, shall and may be written or printed upon paper not stamped or marked for any the duties charged by any act upon stamp vellum, parchment or paper; and that no fee, gratuity or reward whatsoever, shall be required, demanded or taken from any the said manufacturers, for making any the payments of the said allowance for sope consumed in the said woollen or linen manufactures, or for making or taking any the said affidavits, affirmations, or certificates relating thereunto (except four pence for writing every such affidavit, affirmation or certificate) upon pain that any of the said officers offending therein, shall for every such offence pay treble damages to the party grieved, besides costs of suit, to be recovered in such manner, as any other penalties relating to the duties upon sope are by this act to be recovered.

Such affidavit, &c. false, forfeits treble the value of the allowance.

XVIII. And for the better preventing frauds and abuses in obtaining the allowances last mentioned, it is hereby further enacted, That if any person or persons shall, in such affidavit or affirmation, swear, affirm or alledge any matter or thing that shall be false and untrue, with an intent to defraud her Majesty, her heirs or successors, such person or persons offending therein, shall for every such offence forfeit and lose treble the value of the allowance for which such affidavit or affirmation shall be made, to be recovered in like manner (to wit) one third part thereof to the use of the Queen's majesty, and the other two thirds thereof, with costs of suit, to the use of the informer or prosecutor; and if any person or persons, being once convicted of any such offence, shall again offend in the like kind, and be thereof duly convicted in any court of record at *Westminster*, or in any the courts of *Scotland*, every such person or persons, for such other offence, shall suffer as in cases of wilful and corrupt perjury.

Second offence perjury.

XIX. And whereas it has been found by experience, That several makers of sope, with intent to deceive her Majesty of the just duties by this

this and the recited act granted, do make sope in private cellars and other secret places, and fraudulently issue and send out the same in small casks: for preventing of which evil practice for the future, be it enacted by the authority aforesaid, That from and after the second day of *August* one thousand seven hundred and four-
 teen, all soft sope that shall be filled in any other cask less than barrels, half-barrels, firkins and half-firkins, shall be forfeited, and also the sum of five pounds shall be paid by the maker of such sope; one moiety thereof to the seizer or informer, and the other moiety to the poor of the parish where such offence shall be committed, to be recovered as any other penalties concerning the duties on sope are by this act recoverable.

Soft sope in what casks to be filled.

XX. And be it further enacted by the authority aforesaid, That from and after the said second day of *August* one thousand seven hundred and fourteen, no perfumer, peruke-maker, barber, sellers of, or dealers in hair-powder, shall make, vend, sell, dispose, or make use of, or offer to sale any powder made of or mixed with any alabaſter, talke, plaister of *Paris*, whiting, lime, or other matter or thing of the like nature (sweet scents only excepted) under pain of forfeiting all the hair-powder so made or mixed, or made use of, vended, sold, disposed of, or offered to sale, and the sum of fifty pounds for every such offence, the one moiety thereof to her Majesty, her heirs and successors, and the other moiety to the seizer or informer, to be recovered as any other penalties concerning the duties on starch are by this act recoverable.

No perfumer, &c. to mix alabaſter, &c. with hair powder.

XXI. And moreover be it enacted by the authority aforesaid, That there shall be, throughout the kingdom of *Great Britain*, raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for the several and respective matters and things herein after mentioned, which at any time or times, within or during the term of two and thirty years, to be reckoned from the said second day of *August* one thousand seven hundred and fourteen, shall be engrossed or written (over and above the rates, duties, and sums of money now due or payable to her Majesty, her heirs or successors, for the same) the several and respective rates, duties, charges and sums of money herein after expressed, in manner following; That is to say,

Additional duties on stamps.

These duties made perpetual by 6 Geo. 1. c. 4. s. 1.

For every piece of vellum, parchment and paper, upon which shall be engrossed or written any transfer of stock in any company, society or corporation whatsoever, within *Great Britain*, the sum of four shillings and six pence sterling.

Transfer of stock.

For every skin or piece of vellum or parchment, on which any grant or letters patents under the great seal of *Great Britain*, or the seal of the dutchy or county palatine of *Lancaster*, of any honour, dignity, promotion, franchise, liberty or privilege, to any person or persons, body politick or corporate, or exemplification of the same, shall be engrossed or written (commissions of rebellion in process always excepted) the sum of forty shillings sterling.

Great seal or dutchy seal. Pardons, &c.

Pardons, &c.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any pardon (except the general circuits and *Newgate* pardons) of or for any crime or offence, or of any sum of money or forfeiture whatsoever, or on which any warrant of reprieve or relaxation from any pecuniary fine or forfeiture, exceeding one hundred pounds, or from any corporal punishment, shall be engrossed or written, the sum of forty shillings sterling.

Grants of money.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any grant from her Majesty, her heirs or successors, of any sum of money exceeding one hundred pounds sterling, which shall pass the great seal of *Great Britain*, the great seal of *Scotland*, or the privy seal not directed to the great seal, shall be engrossed or written, the sum of forty shillings sterling.

Grants of offices.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any grant of any office or employment in *Great Britain*, which shall be above the value of fifty pounds sterling *per annum*, shall be engrossed or written, the sum of forty shillings sterling.

Dispensations.

For every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and a benefice, or any other dispensation or faculty from the lord archbishop of *Canterbury*, or the master of the faculties for the time being, shall be engrossed or written, the sum of forty shillings sterling.

Admittances.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed or written any admittance or instrument for admitting of any fellow of the college of physicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers, in any court whatsoever in *Great Britain* (not being an annual officer in any corporation or inferior court, whose office is under the value of ten pounds sterling *per annum*, in salary, fees, or other perquisites) the sum of forty shillings sterling.

Appeals.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any appeal from the high courts of admiralty, either in *England* or *Scotland*; court of arches, or the prerogative court of *Canterbury* or *York*, shall be engrossed or written, the sum of forty shillings sterling.

Institution or licence.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed or written any institution or licence, that shall pass the seal of any archbishop or bishop, chancellor or other ordinary, or any ecclesiastical court whatsoever in *England*, *Wales*, or *Berwick upon Tweed*; or upon which shall be engrossed, written or registered, any writ or instrument for the like purpose, with any such institution or licence, that shall be passed or made by any presbytery, or other spiritual power in *Scotland*, the sum of five shillings sterling (licences to schoolmasters and tutors excepted.)

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any letters of mart shall be engrossed or written, the sum of five shillings sterling. mart.

For every skin or piece of vellum or parchment, or sheet or piece of paper, on which any beneficial warrant, or order under the sign manual of her Majesty, her heirs or successors (except warrants or orders for the service of the navy, army and ordnance) shall be engrossed or written the sum of two shillings and six pence sterling. Beneficial warrants.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed or written in Great Britain, any indenture, lease, bond, or any deed not hereby otherwise charged, the sum of six pence sterling; except bail bonds and assignments thereof, and indentures for binding poor parish or charity children apprentices, and such deeds executed in Scotland, as are charged with the stamp-duty of two shillings and three pence, by an act of parliament made in the tenth year of her present Majesty's reign. Indentures, &c.

XXII. Provided always, That nothing in this act contained shall extend to charge with any stamp-duties hereby granted, any the matters or things which, by an act of parliament made in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for granting to his Majesty, his heirs and successors, further duties upon stampd vellum, parchment and paper*, are exempted from the duties thereby granted. Not to charge any matters exempted by 9 & 10 W. 3. c. 25.

XXIII. And be it further enacted by the authority aforesaid, That for the better and more effectual levying, collecting and paying unto her Majesty, her heirs and successors, the said stamp-duties hereby granted, the same shall be under the government, care and management of the commissioners for the time being, appointed to manage the duties payable to her Majesty, her heirs and successors, and charged on stampd vellum, parchment and paper, by the former acts of parliament in that behalf made; who, or the major part of them, are hereby required and impowered to imploy the necessary officers under them for that purpose, and to appoint and provide stamps to denote the several stamp-duties hereby charged, and to do all other things necessary to be by them done, for the putting this act in execution with relation to those duties. Commissioners of the stamps to manage these duties.

XXIV. And it is hereby further enacted and declared by the authority aforesaid, That where any more than one of the matters or things hereby charged with any stamp-duty, shall be engrossed, written, entred, or registred upon one piece of vellum, parchment or paper, the said respective duties hereby granted, shall be, and hereby are charged upon every one of such matters and things respectively. Several matters written on one piece of paper, to be severally charged.

XXV. And it is hereby enacted, That all vellum, parchment, and paper, charged by this act with any of the stamp-duties hereby granted; which hath been, or shall (before the second day of August one thousand seven hundred and fourteen) be stamped or brought to the Vellum, &c. already stamped in pursuance of former acts, to be brought to the

stamp-office to
be marked
with the new
stamps.

or marked, in pursuance of the former acts of parliament, relating to her Majesty's stamp-duties, or any of them, shall, before any of the matters or things (in respect whereof any duty is hereby made payable) be written or engrossed thereupon, (such writing or engrossing being at any time after the said second day of *August* one thousand seven hundred and fourteen, and within the said term of two and thirty years) be brought to the head-office for stamping or marking of vellum, parchment and paper, to be stamped or marked with another mark or stamp, over and besides the marks or stamps put or to be put thereupon, in pursuance of the said former acts of parliament, or any of them; and that all vellum, parchment and paper, which hath not been, or shall not (before the said second day of *August* one thousand seven hundred and fourteen) be stamped or marked in pursuance of the said former acts, or any of them, shall (before any the matters or things, in respect whereof any stamp-duty is payable hereby, and by the said former acts, or any of them, shall be thereupon written or engrossed, such writing or engrossing being after the said second day of *August* one thousand seven hundred and fourteen, and within the said term of two and thirty years) be brought to the said head-office, and there marked or stamped with the proper marks or stamps provided, used, or appointed, and to be provided, or appointed, in pursuance of this act, and of the said former acts of parliament, to denote the respective duties hereby and thereby respectively charged thereupon; and that if any of the said matters and things so to be engrossed or written, as aforesaid, shall, during the term last mentioned, be engrossed or written, contrary to the true intent and meaning hereof, upon vellum, parchment, or paper, not appearing to have been duly marked or stamped according to this act, that then, and in every such case, there shall be due, answered, and paid to her Majesty, her heirs and successors (over and above the stamp-duties payable hereby, and by the said former acts, or any of them) for every such matter and thing respectively, the sum of five pounds sterling; and that no such matter or thing shall be available in law or equity, or to be given in evidence, or admitted in any court, unless as well the said duty hereby charged in respect thereof, as the said sum of five pounds, shall be first paid to the use of her Majesty, her heirs or successors, and a receipt produced for the same, under the hand of the receiver general, for the time being, of the stamp-duties, or of his deputy or clerk, and until the vellum, parchment, and paper, upon which such matter or thing is so written or engrossed, shall be marked or stamped, according to the tenor and true meaning hereof; and the said receiver general, and his deputy or clerk, are hereby enjoined and required, upon payment or tender of the said duties, and of the said sum of five pounds, and such other sums, as by the said former acts are payable in that behalf, to give a receipt for such monies, and the other proper officers are thereupon required

No writing
before paper
stamped, good,
till s^d. paid to
the Queen, and
the duty be
paid.

quired to mark or stamp such matter or thing with the proper marks and stamps requisite in that behalf.

XXVI. And be it further enacted by the authority aforesaid, ^{Commissioners to be sworn :} That every commissioner and officer, who shall act in or about the managing or collecting the stamp-duties last mentioned, shall, before he shall act in or about the same, take the oath following; that is to say,

I A. B. do swear, That I will faithfully execute the trust reposed ^{Their oath;} in me, pursuant to the act of parliament made in the twelfth year of the reign of her majesty Queen Anne, whereby certain additional duties are charged or made payable, in respect of the several matters or things engrossed or written, as therein is mentioned, without fraud or concealment; and shall, from time to time, true account make of my doings therein, and deliver the same to such person or persons as her Majesty, her heirs and successors shall appoint to receive such account; and shall take no fee, reward, or profit for the execution or performance of the said trust, or the business relating thereto, from any person or persons, other than such as shall be allowed by her Majesty, her heirs or successors, or some other person or persons by her or them to that purpose authorized.

Which oath shall or may be administered by any two or more of the commissioners last mentioned, or any justice of the peace.

XXVII. And to prevent such doubts as may arise touching the ^{Allowances of} invoice for present payment of the stamp-duties charged by this and ^{6 per cent. for} the said other acts; it is hereby further declared and enacted by ^{6 months,} the authority aforesaid, That there shall be allowed and paid ^{when the duty} to every person who shall at any one time bring to be stamped, ^{amounts to} or buy of the said commissioners, vellum, parchment, or paper, the duties whereof, doubly or trebly charged by this and the said other acts, shall in the whole amount to ten pounds or upwards, after the rate of six pounds in the one hundred pounds *per annum*, for six months, upon the present payment of the said duties, at the head office for marking or stamping of vellum, parchment, and paper.

XXVIII. And be it further enacted by the authority aforesaid, ^{Powers, &c.} That all powers, provisions, articles, clauses, pains of ^{9 & 10 W. 3. c.} death, and other penalties and forfeitures, matters and things, ^{25. to be in} prescribed, appointed or contained in or by the said act of parliament made in the said ninth year of the reign of his said late majesty King William the Third, or in any other act of parliament relating to the duties thereby charged, or any of them, which are now in force, and not hereby altered or otherwise provided for, shall, in the same manner and form as they now stand in force, with relation to the said duties, or any of them, charged by the said act of the said late King William, be of full force and effect, with relation to the said stamp-duties hereby charged, and every of them, during all the said term of two and thirty years, and shall be applied, practised, and executed, for the securing, raising, levying, collecting, executing, and

swering, and paying the said stamp-duties hereby charged, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the same powers, provisions, articles, clauses and things, and every of them, had severally and respectively been particularly enacted in this act, with relation to the stamp-duties hereby charged, and as if the stamp-duties hereby charged had been charged by the said act of the ninth year of his said late Majesty's reign.

Commission-
ers and offi-
cers to be ap-
pointed, lia-
ble to the act
9 and 10 W.
3. c. 44.

XXIX. And to the end all the said additional, or new duties upon sops and paper, and upon certain linens, silks, callicoes and stuffs, and upon starch and exported coals, and upon stampd vellum, parchment and paper, before granted by this act, may be certainly and duly raised, and the same (except the necessary charges of executing this act) may be justly and duly brought into the receipt of the Exchequer, according to the true meaning hereof; it is hereby enacted by the authority aforesaid, That from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers, as shall be proper and necessary for the managing, raising, collecting and paying the same duties, and for keeping and rendring the accounts of the same; and that the commissioners and officers concerned therein, shall perform their several duties in relation to the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the monies arising by the same duties, or any of them, as are prescribed, and to be inflicted by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for raising a sum not exceeding two millions, upon a fund for payment of annuities after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies*, for the like offence or neglect relating to the duties thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last mentioned.

5 and 6 W. &
M. c. 21.

XXX. And whereas a proclamation was issued by their late majesties King William and Queen Mary, in pursuance of an act of parliament made in the fifth year of their reign, intituled, *An act for granting to their Majesties several duties upon vellum, parchment, and paper, for four years, towards carrying on the war against France, for publishing the types, devices, marks, or stamps provided in pursuance of the same act, which act has been since continued by several subsequent acts of parliament, and the same types, devices, marks, or stamps have been used for the stamping or marking of vellum, parchment and paper, in pursuance of the said subsequent acts of parliament, which were provided and used in pursuance of the said first act, and published by the said proclamation; but no proclamation was issued in pursuance of the said subsequent acts, or any of them; whereupon some doubts have arisen whether the said types, devices, marks, or stamps, ought not to have been*

again published by proclamation after the passing the said acts for continuing the said duties upon vellum, parchment and paper, as the types, devices, marks or stamps provided for the duties so continued; for removing whereof, be it enacted and declared by the authority aforesaid, That the types, devices, marks, or stamps, provided in pursuance of the said first mentioned act, shall be deemed, taken, and made use of, as the types, devices, marks, or stamps provided in pursuance of the said acts for continuing the said duties, and every or any of them, until other types, devices, marks, or stamps, shall be provided and published by proclamation, in pursuance of the same acts, or of one of them; and that the said publishing of the said types, devices, marks, or stamps, by the said proclamation, in pursuance of the said first mentioned act for granting the said duties, shall be deemed and taken to be a sufficient publishing thereof, as well for and in respect of the duties granted by that act, as for and in respect of the duties on vellum, parchment, and paper, which have been since granted or continued by any other act or acts of parliament relating thereto; any thing in the said acts, or any of them, to the contrary hereof in any wise notwithstanding.

Proclamation
in pursuance
of 5 & 6 W.
& M. c. 21. to
be deemed a
sufficient pub-
lication of the
several stamps.

XXXI. And whereas several persons, who have, since the commencement of the rates or duties upon monies given, paid, or contracted for with clerks and apprentices, taken clerks and apprentices, and received and contracted for sums of money, with or in respect of the taking of such clerks and apprentices, have, through neglect or inadvertency, omitted to pay the several rates and duties payable in that behalf, or to cause to be inserted the sums of money so given, paid, or contracted for, with or in respect of the taking of such clerks and apprentices, in the contracts or indentures relating thereto, and to have such contracts or indentures stamped within the time for that purpose respectively limited by the act of parliament in that case made; whereby the said masters and mistresses have incurred one or more penalty or penalties, and such clerks and apprentices will, according to that act, be disabled to follow or exercise the intended trades, professions, or employments, unless some further provision be made; be it therefore further enacted by the authority aforesaid, That upon payment of the said respective rates and duties, which have been so omitted or neglected to be paid, as aforesaid, on or before the first day of *March* in the year of our Lord one thousand seven hundred and fourteen, to such person or persons to whom the same ought to be paid, according to the same former act, and tending to be stamped such indentures or contracts so omitted to be stamped, on or before the said first day of *March* in the said year of our Lord one thousand seven hundred and fourteen, the same indentures or contracts shall be stamped, and shall be good and available in law and equity, and the clerks or apprentices therein named shall be capable of following and exercising the respective intended trades, professions, or employments, as fully as if the duties, so omitted to be paid, had been duly paid, and the indentures or contracts stamped within the respective times in the same act for those respective purposes limited, any thing

Clause to in-
demnify mas-
ters and ap-
prentices.

8 Ann. c. 91

therein contained to the contrary notwithstanding; so as the true and full sum or sums of money, and all other things given or contracted for, to or for the benefit of the masters or mistresses, with or in respect of the taking such clerks or apprentices, be truly written or indorsed in words at length, on such indentures or contracts, wherein the same have been omitted to be inserted, according to the same act, and the masters and mistresses truly paying the said omitted duties, on or before the said first day of *March* one thousand seven hundred and fourteen, are hereby indemnified and discharged off and from all penalties by them incurred by the said recited acts, for which no prosecution hath been commenced before the four and twentieth day of *June* one thousand seven hundred and fourteen.

105,000l. to be
the yearly fund
for clearing off
the principal
sum of
1,876,400l.
with interest
at 4l. per cent.
See 1 Geo. 1.
stat. 1. c. 2.
sect. 2.

XXXII. And be it enacted by the authority aforesaid, That yearly and every year, during the term of two and thirty years, reckoning the first year to begin from the nine and twentieth day of *September* one thousand seven hundred and fourteen, the full sum of one hundred and five thousand pounds, by or out of the monies to arise by the said additional or new duties upon sops and paper, and upon certain linens, silks, calicoes, and stuffs, and upon starch, and exported coals, and upon stamp vellum, parchment and paper, by this act granted, and to be brought into the receipt of the Exchequer, as aforesaid, in case the same shall extend thereunto, shall be computed and reckoned to be a yearly fund; and in case all the monies arising into the Exchequer, for the said duties, rates and sums of money so granted, shall not amount to the sum of one hundred and five thousand pounds *per annum*, then the monies so arising, so far as the same shall extend, shall be part of the yearly fund towards the answering and paying off all and every the principal sums herein after mentioned, amounting in the whole to the sum of one million eight hundred seventy six thousand four hundred pounds principal money, together with interest for the same after the rate of four pounds *per centum per annum*, as herein after is mentioned; and in case the said duties, rates, and sums of money by this act granted, shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year, to be reckoned, as aforesaid, the said monies arising into the Exchequer, for or upon account of the same duties, shall not amount to as much as one hundred and five thousand pounds, that then, and so often, and in every such case, so much as shall be wanting to make up the said fund or sum of one hundred and five thousand pounds for every or any such year, shall be supplied and made good, from time to time, out of the first aid or supply to be granted in parliament, next after such deficiencies shall appear, and shall from time to time be transferred thereunto, as soon as the same shall be granted; and in case no such aid or supply shall be granted, then by and out of any publick money, which shall be in the said receipt of Exchequer, not appropriated to any particular use or uses by act of parliament; and the lord high treasurer, or commissioners

Deficiencies to
be made good
out of the first
aid to be
granted in
parliament.

Or out of any
public money
unappropriated.

Commissioners of the treasury, for the time being, are hereby strictly enjoined and required to make up such deficiency accordingly, out of such unappropriated publick money, without any further or other warrant or authority for the same.

XXXIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing the sum of one million four hundred thousand pounds, by paying, at or before the respective days and times by this act limited in that behalf, to any receiver or receivers, to be appointed for that purpose, as is herein after mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that for the raising of the said sum of one million four hundred thousand pounds, any person, who will become contributor or adventurer, shall and may advance the sum of ten pounds, for which sum so advanced, he, she, or they shall be entitled to receive by virtue of this act such principal money, and the interest thereof, to be paid, as herein after is mentioned, by and out of the said yearly fund; and that every contributor or adventurer may advance as many entire sums of ten pounds as he, she, or they shall think fit, and for every such sum of ten pounds so advanced, he, she, or they, is or are to be interested in one lot or share of and in the said yearly fund by virtue of this act; and the same entire sums of ten pounds each, are hereby appointed to be paid unto such receiver or receivers, at or before the respective days and times, and in the respective proportions herein after mentioned; that is to say, one fourth part thereof on or before the tenth day of *August* in the year of our Lord one thousand seven hundred and fourteen; one fourth part thereof on or before the tenth day of *September* in the said year of our Lord one thousand seven hundred and fourteen; one other fourth part thereof on or before the eleventh day of *October* one thousand seven hundred and fourteen, and the remaining fourth part thereof on or before the tenth day of *November* one thousand seven hundred and fourteen.

Any persons may be contributors.

This lottery is redeemed. See 6 Geo. 1. c. 4. 10 Geo. 1. c. 50. 2 Geo. 2. c. 31.

Times of payment.

Tickets to be delivered for a lottery, &c. The monies appropriated by this act to be applied to pay off the principal and interest. No undue preference if subsequent orders be paid before others who did not demand their monies. Deficiency of one year to be made good out of the next. Surplus disposable by parliament. Notice to be hung up in the office when orders become due. 8l. per cent. per ann. allowed for the first payment, and 6l. for the remainder, till 29 Sept. 1714. Receivers may take in money before they receive their books. Contributor advancing one fourth part, and failing in the rest, to forfeit the first fourth part, &c. Treasurer to appoint a paymaster, &c. Assignments of orders to be registered. Her Majesty to reward the managers out of monies arising by the duties. Benefits of 1000l. may be divided into orders not less than 500l. After interest and principal paid off, the residue disposable by parliament. Guardians may contribute for infants, &c. E X P.

LXIV. And whereas, by an act passed the ninth year of her Majesty's reign, certain duties are laid on tanned leather; and by another

Tanned leather manufac-
tured, to draw
back 1d. ob.
per lb. on ex-
portation.

another act passed the tenth year of her Majesty's reign, further duties are laid thereon, and by the said acts only two thirds of the respective duties are to be drawn back or allowed upon the exportation of boots, shoes, gloves, or other manufactures, which by experience is found to be a discouragement to the manufacturers employed therein; for remedy whereof, be it declared and enacted by the authority aforesaid, That from and after the second day of August one thousand seven hundred and fourteen, there shall, in lieu of the said two thirds of the said duties, be paid and allowed to the exporter or exporters, for all tanned leather, which shall be manufactured and actually made into goods or wares, by him or them exported, on a proper debenture to be made for that purpose, and security given for the same, as by the said acts are prescribed, the sum of one penny half-penny for every pound weight thereof, and so in proportion for every greater or lesser quantity; which drawback of one penny half-penny per pound shall be paid out of the respective duties granted by the said acts of the ninth and of the tenth years of her Majesty's reign; any law to the contrary notwithstanding.

9 Ann. c. 11.

LXV. And whereas by an act of parliament passed in the ninth year of her Majesty's reign, intituled, An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty-two years, for prosecuting the war, and other her Majesty's most necessary occasions, it is enacted, That upon the shipping of any hides or calve-skins for exportation into foreign parts, and giving security to the customer or collector of the customs of the port from whence such exportation shall be made, That such hides and calve-skins shall not be reloaded or brought on shore, in any port or part of Great Britain, the customer or collector shall give the exporter a certificate or debenture in writing, of the kinds and quantities of such hides and calve-skins; and that upon producing such certificate, the collector at the port where such hides or calve-skins shall be exported, shall repay to the person producing such certificate, two thirds of the duties which were before charged for such hides or calve-skins so exported, as aforesaid: and whereas some doubts have arisen upon the construction of the said act, whether the same shall extend to allow a drawback of the said duties, for any other sort of skins, tanned, tawed or dressed, than hides and calve-skins; therefore to explain the said act, be it enacted by the authority aforesaid, That all sheep-skins and lamb-skins, tanned, tawed or dressed, which are chargeable with any duties by the said act passed in the ninth year of her Majesty's reign, shall, upon exportation thereof, have a drawback or allowance of two thirds of the duties, payable by virtue of the said act, subject to such rules, as by the said act are prescribed on the exportation of any hides or calve-skins; any thing in the said act contained to the contrary in any wise notwithstanding.

Sheep-skins
to draw back
two thirds of
the duty.

9 Ann. c. 11.

10 Ann. c. 17.
Clause for di-
stribution of
4000l. due to

LXVI. And whereas by an act of parliament made in the tenth year of her present Majesty's reign, intituled, An act for the better collecting and recovering the duties granted for the support of the

the

the royal hospital at Greenwich, and for the further benefit thereof, and for the preserving her Majesty's harbour moorings, it was (amongst other things) enacted, That the sum of four thousand pounds out of the shares of the several captors of prizes, by virtue of her Majesty's declaration of the first of June one thousand seven hundred and two, which should remain uncalled for within the times by the said act limited for the payment of the same, should be applied for or towards the payment of certain rewards for taking or destroying ships of war or privateers of the enemy, during the late war, to and amongst the flag officers, captains, and other officers and companies of her Majesty's ships of war, their executors or administrators, entitled thereunto by virtue of the said declaration, in such proportion as by the said declaration is directed, if the same should be decreed to them by the high court of admiralty, and lists of the ships entitled to such rewards by such decree, should be transmitted to the receiver or receivers of prizes, and the same should be claimed, and afterwards demanded to be paid within the respective times for the said several purposes limited by the said act; and that if the several sums so to be decreed and demanded for such rewards should amount in the whole to more than four thousand pounds, then the said four thousand pounds should be divided among the several claimers, by way of average, in proportion to their respective interests, to be adjusted by the receiver or receivers of prizes, or person or persons appointed for the same: and whereas lists of the persons on board some of the ships, entitled to such rewards, at the time of the taking or destroying such ships of war or privateers of the enemy, during the late war, for which the same became due, have never been transmitted unto the receiver or receivers of prizes, the same not having been sufficiently provided for in the said act, by reason whereof the receiver or receivers of prizes have been unable to adjust the proportions belonging to several claimers of such rewards, and to make distribution of the said four thousand pounds according to the said act; for remedy, &c.

Clause for adjusting claims in several lottery tickets. Debentures unclaimed on 14 December 1714. vested in her Majesty for the use of the publick. E X P.

LXIX. And be it enacted by the authority aforesaid, That all the money lent, and to be lent to her Majesty upon one act of this session of parliament, intituled, *An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and fourteen*, and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent, or to be lent unto her Majesty, upon the duties of malt, mum, cyder and perry, charged and continued by another act of this session of parliament, for the service of the year one thousand seven hundred and fourteen; and so much money

Appropriation of the several sums granted this session.

11 Ann. stat. 2. c. 1.

12 Ann. stat. 2. c. 3.

money of the said duties of malt, mumm, cyder and perry thereby granted or continued, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said duties thereby granted, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the surplus or unappropriated monies, which shall arise and be paid into the Exchequer, for the use of the publick, from and after the twelfth day of *June* one thousand seven hundred and fourteen, until all the provisions of money intended by this act for the uses and purposes herein after mentioned shall be satisfied, and all the monies which, over and above the allowances for prompt payment, and other allowances directed by this act, shall arise, of or for the said contributions, not exceeding the sum of one million four hundred thousand pounds in this act mentioned, shall be appropriated for or towards the several uses, intents and purposes herein expressed, subject nevertheless to such restrictions as are herein after prescribed; that is to say, it is hereby enacted and declared, That out of all or any the aids or supplies by this act provided, as aforesaid, there shall and may be issued and applied the sum of seven hundred forty five thousand seven hundred pounds and three pence, for defraying the charges of the ordinary of her Majesty's navy, including half-pay to sea-officers, and for victuals, wages, wear and tear of the navy, and victualling thereof, performed and to be performed, and for sea-service in the office of ordnance, performed and to be performed; and any further sum not exceeding three hundred thousand pounds, towards satisfying the debt due for seamen's wages, and to the yards, and for the debt due to the marines; and any further sum not exceeding three thousand pounds, to be equally distributed among the chaplains that served in the fleet during the late war, and are not otherwise provided for; and any sum not exceeding three hundred eighty six thousand four hundred twenty seven pounds seventeen shillings and ten pence, for maintaining guards and garrisons in *Great Britain, Jersey and Guernsey*, together with two independent companies in *North Britain*, for one year, from the twenty fourth day of *December* one thousand seven hundred and thirteen, to the twenty fifth day of *December* one thousand seven hundred and fourteen; and any sum not exceeding fifty four thousand six hundred forty five pounds one shilling and three pence, for maintaining her Majesty's forces and garrison at *Minorca* for the same year; and any sum not exceeding thirty four thousand eight hundred fifty six pounds fourteen shillings and nine pence half-penny, for maintaining her Majesty's forces and garrison at *Gibraltar* for the same year; and any sum not exceeding twenty thousand one hundred and seventy pounds one shilling and six pence, for maintaining four companies at *New York*, four companies at *Annapolis Royal*, four companies for *Placentia*, one company at *Bermudas*, and the garrisons of *Annapolis Royal* and

Ordinary of
the navy.

Seamen's
wages.

Sea-chaplains.
Vide 3 Geo. 1.
c. 3.

Guards and
garrisons in
Great Britain,
&c.

Forces at *Minorca*.

Gibraltar.

New York, &c.

Plauria for the same year; and any sum not exceeding one hundred and seven thousand eight hundred thirty one pounds nine shillings and two pence, for maintaining her Majesty's forces in *Flanders* and at *Dunkirk*, until *Michaelmas* one thousand seven hundred and fourteen; and any sum not exceeding nineteen thousand three hundred and eight pounds and ten shillings, for maintaining the regiment commanded by colonel *Hanckwyle* at *Jamaica*, and the regiment commanded by colonel *Alexander* in the *Leeward Islands*, until *Christmas* one thousand seven hundred and fourteen; and any sum not exceeding fifty seven thousand eight hundred seventy seven pounds eleven shillings and six pence-half-penny, to satisfy the arrears due to the officers of the land forces and marines, for half-pay at *Christmas* one thousand seven hundred and thirteen; and any sum not exceeding five thousand eight hundred sixty two pounds sixteen shillings and two pence, for charge of half-pay to such officers who are allowed it by special warrant of her Majesty for one year, from *Christmas* one thousand seven hundred and thirteen to *Christmas* one thousand seven hundred and fourteen; and any sum not exceeding one hundred twenty three thousand two hundred ninety three pounds nineteen shillings and two pence, for the charge of half-pay to the officers of the land forces and marines, being her Majesty's natural-born subjects, or naturalized, for the same year; and a sum not exceeding forty-two thousand seven hundred eighty five pounds fourteen shillings and four pence, for support of the royal hospital at *Chelsea*, and pay of the out-pensioners, and for the extraordinary allowance of forage for the dragoons in *North Britain* for the same year; and any sum not exceeding in the whole three hundred thousand pounds, towards satisfying the debt due on account to the land forces, and to the said out-pensioners; out of which the sum of sixty thousand ninety five pounds nine shillings and two pence, is to be applied to discharge bills of exchange drawn by *William Cbetwynd*, Esq; her Majesty's late envoy at *Genoa*, for corn sent to *Barcelona*; and any sum not exceeding fifty five thousand two hundred eighty one pounds and sixteen shillings, for the charge of the office of ordnance for land services performed and to be performed; and any sum not exceeding two thousand one hundred eighty eight pounds nine shillings and two pence, for the military officers and chaplain that served in the train of artillery in *Flanders* and *Spain*, and on several expeditions, which, with the allowance they have on the establishment in the office of ordnance, is to complete their half-pay for the year from *Christmas* one thousand seven hundred and thirteen to *Christmas* one thousand seven hundred and fourteen; and any sum not exceeding sixty seven thousand three hundred fifty eight pounds fifteen shillings and seven pence, for supplying the deficiency of the fund for the classis lottery of one thousand seven hundred and eleven, for the year ended at *Michaelmas* one thousand seven hundred and thirteen; and any sum not exceeding sixty seven thousand five hundred forty six pounds four shillings

Forces in
Flanders, &c.
Jamaica and
Leeward
Islands.

Arrears of
half-pay officers.

Half-pay to
officers allowed by the
Queen's warrant.

Half-pay to
land forces
and marines.

Chelsea Hospital.

Corn sent to
Barcelona.

Office of ord-
nance.

Artillery officers in
Flanders and Spain.

Deficiency of
the classis lottery, 1711.

Deficiency for
the classis lottery, 1712.

Deficiency of
the yearly
fund to the
East India
company.
9 & 10 W. 3.
C. 44.

Deficiency of
the two third
subsidy.
3 & 4 Ann. c. 5.

Sufferers at
Nevis, &c.

Proviso for
the South Sea
company ;

9 Ann. c. 21.

and for the
commissioners
of accounts.

shillings and three pence half-penny, for supplying the deficiency of the fund for the classis lottery of one thousand seven hundred and twelve, for the year ended at Michaelmas one thousand seven hundred and thirteen ; and any sum not exceeding forty two thousand five hundred seventy six pounds six shillings and four pence, to make good the deficiency of the yearly fund, granted by an act of the ninth year of his late majesty King William the Third, for the benefit of the company and others trading to the *East Indies* ; and any sum not exceeding eighty eight thousand seven hundred forty one pounds thirteen shillings and ten pence, to make good the deficiency of principal and interest upon the act made in the third year of her Majesty's reign, for granting a further subsidy on wines and merchandizes imported, called the two third subsidy ; and any sum not exceeding eighteen thousand five hundred and forty pounds twelve shillings and nine pence three farthings, to make good the interest on debentures to the sufferers at *Nevis* and *St. Christopher's* for three years, to the twenty fifth day of *December* one thousand seven hundred and fourteen ; and to and for none other use, intent or purpose whatsoever.

LXX. Provided always, and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payments, which, by and in pursuance of an act made in the ninth year of her Majesty's reign, intituled, *An act for making good deficiencies, and satisfying the publick debts ; and for erecting a corporation to carry on a trade to the South Seas, and for encouragement of the fishery ; and for liberty to trade in unwrought iron with the subjects of Spain, and to repeal the acts for registering seamen*, and of her Majesty's charter grounded thereupon, are or shall be required and authorized to be made by the treasurer or paymaster of the navy for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders, or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to the corporation erected in pursuance of the act last mentioned, called by the name of the governor and company of merchants of *Great Britain* trading to the *South Seas*, and other parts of *America*, and for encouraging the fishery, or to their treasurer for their use ; any thing herein contained to the contrary notwithstanding.

LXXI. Provided also, That such sums as, by any other act of this session of parliament, shall be payable to any commissioners of accounts for their salaries, or for their clerks, or any other incident charges, shall and may be paid out of the aids or supplies aforesaid, or any of them ; any thing herein contained to the contrary notwithstanding.

C A P. X.

An act for raising the militia for the year one thousand seven hundred and fourteen, although the month's pay formerly advanced be not repaid; and for rectifying a mistake in an act passed in this present session of parliament, intituled, *An act for the better regulating the forces to be continued in her Majesty's service, and for payment of the said forces and their quarters.* E X P.

C A P. XI.

An act to prevent the lifting her Majesty's subjects to serve as soldiers without her Majesty's licence.

WHEREAS several ill-affected persons, subjects of the crown of Great Britain, have lately, in open defiance of the laws, presumed traitorously to lift divers of her Majesty's subjects within the kingdoms of Great Britain and Ireland, to serve the person pretended to be prince of Wales, during the life of the late king James the Second, and since his decease pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, as soldiers, to the great disturbance of the peace of these her Majesty's kingdoms; and whereas the like traitorous practice may be more covertly carried on, under pretence of lifting her Majesty's subjects to serve as soldiers under some foreign prince, state or potentate: for remedy thereof, be it, &c.

Subjects of Great Britain who shall, after 1 August 1714. within the kingdom, or in Ireland, and after 1 October out of the kingdom, list themselves to serve any foreign prince, &c. or procure any subject so to do, without her Majesty's licence, shall be guilty of high treason. Offences out of the realm, where to be tried. No licence shall exempt from the penalty, persons lifting any subject to serve the French King. Continuance of the act for three years. E X P.

C A P. XII.

An act for the better maintenance of curates within the church of England; and for preventing any ecclesiastical persons from buying the next avoidance of any church-preferment.

WHEREAS the absence of beneficed ministers ought to be supplied by curates that are sufficient and licensed preachers, and no curates or ministers ought to serve in any place without the examination and admission of the bishop of the diocese, or ordinary of the place, having episcopal jurisdiction: but nevertheless, for want of sufficient maintenance and encouragement for such curates, the cures within that part of Great Britain called England, have been in several places meanly supplied: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any rector or vicar having cure of souls shall, from and after the nine and twentieth day of September, in the year of our Lord one thousand seven hundred and fourteen, nominate and present any curate to the bishop or ordinary, to

After 20 Sept.
1714. bishop,
&c. to appoint
a stipend to
curates, not
be exceeding 50l.

per ann. nor
less than sol.
and on neglect
of payment
may sequester
the benefice

be licensed or admitted to serve the cure of such rector or vicar in his absence, the said bishop or ordinary having regard to the greatness of the cure, and the value of the ecclesiastical benefices of such rector or vicar, shall, on or before the granting such licence, appoint by writing under his hand and seal a sufficient certain stipend or allowance, not exceeding fifty pounds *per annum*, nor less than twenty pounds *per annum*, to be paid or answered at such times as he shall think fit, by such rector or vicar, to such curate, for his support and maintenance; and if it shall appear to the bishop or ordinary, upon complaint or otherwise, that any curate of such rector or vicar, licensed or admitted before the said nine and twentieth day of *September* in the year of our Lord one thousand seven hundred and fourteen, hath not a sufficient maintenance, it shall be lawful to and for the said bishop or ordinary to appoint him a certain stipend or allowance in like manner as before mentioned; and in case any difference shall arise between any rector or vicar and his curate, touching such stipend or allowance, or the payment thereof, the bishop or ordinary, on complaint to him made, shall summarily hear and determine the same; and in case of neglect or refusal to pay such stipend or allowance, may sequester the profits of such benefice, for or until payment thereof.

Penalty of
taking for any
sum of money,
&c. the next
avoidance, &c.

II. *And whereas some of the clergy have procured preferments for themselves by buying ecclesiastical livings, and others have been thereby discouraged*; be it further enacted by the authority aforesaid, That if any person, from and after the twenty ninth day of *September* one thousand seven hundred and fourteen, shall or do, for any sum of money, reward, gift, profit or advantage, directly or indirectly, or for or by reason of any promise, agreement, grant, bond, covenant or other assurance, of or for any sum of money, reward, gift, profit or benefit whatsoever, directly or indirectly, in his own name, or in the name of any other person or persons, take, procure, or accept the next avoidance of, or presentation to any benefice with cure of souls, dignity, prebend, or living ecclesiastical, and shall be presented or collated thereupon, that then every such presentation or collation, and every admission, institution, investiture and induction upon the same, shall be utterly void, frustrate, and of no effect in law, and such agreement shall be deemed and taken to be a simoniacal contract; and that it shall and may be lawful to and for the Queen's majesty, her heirs and successors, to present or collate unto, or give or bestow every such benefice, dignity, prebend, and living ecclesiastical, for that one time or turn only; and the person so corruptly taking, procuring, or accepting any such benefice, dignity, prebend or living, shall thereupon, and from thenceforth, be adjudged a disabled person in law to have and enjoy the same benefice, dignity, prebend, or living ecclesiastical, and shall also be subject to any punishment, pain or penalty, limited, prescribed or inflicted by the laws ecclesiastical, in like manner as if such corrupt agreement had been

been made after such benefice, dignity, prebend, or living ecclesiastical had become vacant; any law or statute to the contrary in any wise notwithstanding.

C A P. XIII.

An act to discharge and acquit the commissioners of equivalents for the sum of three hundred eighty one thousand five hundred and nine pounds fifteen shillings ten pence half-penny by them duly issued out of the sum of three hundred ninety eight thousand eighty five pounds ten shillings, which they received.

WHEREAS by the treaty of union, and fifteenth article thereof, it is agreed, That Scotland shall have an equivalent for what the subjects thereof shall be charged towards payment of the debts of England contracted before the union, in all particulars whatsoever, and particularly that the sum of three hundred ninety eight thousand eighty five pounds and ten shillings should be granted to her Majesty as an equivalent to Scotland, for such part of the customs and excise there, as should be applicable to the payment of the said debts of England, according to the proportions therein set down; and it is agreed, That her Majesty be impowered to appoint commissioners, who should be accountable to the parliament of Great Britain, for disposing the said sum of three hundred ninety eight thousand eighty five pounds and ten shillings, and all other monies which shall arise to Scotland upon the agreements in the treaty of union, to the purposes mentioned in the said fifteenth article, in an act of the last parliament of Scotland, intituled, An act concerning the payment of the same out of the equivalent to the African company; in another act of the said last parliament, intituled, An act concerning the publick debts; and in an act of the first parliament of Great Britain, intituled, An act for further directing the payment of the equivalent money: and whereas her Majesty, by commission dated the fifth of June one thousand seven hundred and seven, did nominate and appoint Sir Andrew Hume, William Dalrimple, Esq; Sir Robert Sinclair of Stevenson, Sir Thomas Burnett of Leyes, Sir John Areskine of Alva, Sir John Swinton of the same, Sir James Campbell of Abernehill, Sir James Smollett of Bonhill, Sir Patrick Johnston, Sir Francis Grant, baronets; George Baillie of Jervise Wood, John Haldon of Gleneagles, John Bruce of Kilaros, William Seton the younger of Pittmedin; John Clarke the younger of Pennycook; Alexander Abercrombie of Glestock, Mungo Grame of Gorthy, John Graham of Dugalltowne, John Pringle of Haining, Douglas the younger of Kellhead, Daniel Campbell of Buttes, Esq; Sir John Cope, knight; Jacob Raynardson, John Brydges and James Houblon, Esqrs. commissioners for disposing the aforesaid sum of three hundred ninety eight thousand eighty five pounds and ten shillings, and all other monies which shall arise to Scotland upon the agreements in the treaty of union: and by another commission dated the six and twentieth of July one thousand seven hundred and nine, did nominate and ap-
point

6 Ann. c. 24.

point the aforesaid Sir Andrew Hume, William Dalrymple, Esq; Sir Robert Sinclair of Stevenson, Sir Thomas Burnett of Leyce, Sir John Areskine of Alva, Sir John Swinton of the same, Sir James Campbell of Abernethill, Sir James Smollet of Bonhill, Sir Patrick Johnston, Barons; John Bruce of Kinross, William Beton the younger of Pittmedin, Alexander Abercrombie of Glesflock, John Pringle of Hayning, Esq; Sir John Cope, Knt. and John Brydges, Esq; to be commissioners for the same ends and purposes; which commissioners, or the major part of them, pursuant to their said commissions, have well and duly issued and paid the sum of three hundred eighty one thousand five hundred and nine pounds fifteen shillings and ten pence halfpenny, as directed by the laws above recited, in manner herein after set down, viz. towards the loss which private persons sustained by the reducing the English money then in Scotland to the current rate in England, the sum of three thousand and seventeen pounds eighteen shillings and nine pence; for redeeming the Scots and foreign money, and reducing it to the standard of the coin of England, the sum of forty nine thousand eight hundred eighty eight pounds fourteen shillings and eleven pence one sixth of a penny; towards payment of the stock, interest and debts of the Indian and African company, the sum of two hundred twenty nine thousand six hundred and eleven pounds four shillings and eight pence; towards the charges of the commissioners, secretaries, and accountants of the two treaties of union, the sum of thirty thousand four hundred ninety eight pounds twelve shillings and two pence; towards payment of the first class of the civil list, the sum of twenty seven thousand five hundred fifty three pounds seventeen shillings and nine pence one third of a penny; towards payment of the second class of the civil list, the sum of four thousand six hundred fifty five pounds and six shillings; towards payment of the first class of the military list, the sum of fourteen thousand one hundred eighty eight pounds and eight pence; towards payment of the second class of the military list, the sum of fourteen thousand four hundred fifty eight pounds two shillings and eight pence five sixths of a penny; for the fees and salaries of the servants of the commission, till the fourteenth of March, and thirtieth of April last past, the sum of five thousand four hundred and thirteen pounds eleven shillings and four pence; for the necessary charges of the commission, and for defending of law suits where the titles of parties were not clear, these charges preceding the six and twentieth day of March last, amounted to the sum of two thousand two hundred twenty four pounds six shillings and ten pence one sixth of a penny: all which sums together amount to the above total of three hundred eighty one thousand five hundred and nine pounds fifteen shillings and ten pence halfpenny: be it therefore, &c.

Commissioners of the equivalent discharged of the sums paid by them upon the several heads mentioned in this act. But not freed from applying the sum of 16,575*l.* 14*s.* 10*d.* now remaining in their hands, to the uses by the acts directed. E X P.

III. And whereas it appears, that the other publick debts of Scotland yet unsatisfied, which are adjusted and certified, pursuant to the directions

directions of the several acts above recited, do amount to the sum of two hundred and thirty thousand three hundred and eight pounds nine shillings and ten pence and five sixths of a penny, including the interest of such parts thereof as bear interest from the twenty fourth day of June one thousand seven hundred and eight, to the twenty fourth day of June one thousand seven hundred and fourteen; be it therefore enacted, &c.

The commissioners to call for all certificates, &c. and cancel all debentures by which the unsatisfied debt is constituted, and to issue new debentures, to bear interest at 5l. per cent. after 24 June 1714. and paid out of the first money due to Scotland. E X P. Redeemed by 5 Geo. 2. c. 20.

C A P. XIV.

An act for rendering more effectual an act made in the third year of the reign of King James the First, intituled, An act to prevent and avoid dangers which may grow by popish recusants; and also of one other act made in the first year of the reign of their late majesties King William and Queen Mary, intituled, An act to vest in the two universities the presentations of benefices belonging to papists; and for vesting in the lords of judiciary power to inflict the same punishments against jesuits, priests, and other trafficking papists, which the privy council of Scotland was impowered to do by an act passed in the parliament of Scotland, intituled, An act for preventing the growth of popery.

FOR as much as by an act of parliament made in the third year of the reign of King James the First, intituled, An act to prevent and avoid dangers which may grow by popish recusants; and also one other act made in the first year of the reign of their late majesties King William and Queen Mary, intituled, An act to vest in the two universities the presentation of benefices belonging to papists, the presentation, nomination, collation and donation of and to benefices, prebends, or ecclesiastical livings, schools, hospitals and donatives belonging to popish recusants, and other persons thereby disabled to present, collate or nominate, are given to the two universities; but they are so given only where such persons are and stand convicted by such ways and means as in the said recited acts are mentioned and provided; which acts do nevertheless prove ineffectual for such purposes, by reason such patrons are not convicted, or not in such manner as the said acts do direct and appoint: therefore for making the said laws more effectual, and for the speedier and easier vesting the presentations to such benefices in the two universities, according to the intention of the said laws, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every papist or person making profession of the popish religion, and every child not being a protestant, under the

3 Jac. 2. c. 5.

1 W. & M. c. 26.
1. c. 26.

After 10 July
1714. papists,
&c. disabled to
present to any
benefice, &c.

the

the age of one and twenty years, of every such papist or person professing the popish religion, and every mortgagee, trustee or person any ways intrusted, directly or indirectly, mediately or immediately, by or for any such papist or person making profession of the popish religion, or such child, as aforesaid, whether such trust be declared by writing or not, shall, from and after the tenth day of *July* which shall be in the year of our Lord one thousand seven hundred and fourteen, be disabled, and is hereby made incapable to present, collate or nominate to any benefice, prebend, or ecclesiastical living, school, hospital or donative, or to grant any avoidance of any benefice, prebend, or ecclesiastical living; and that every such presentation, collation, nomination and grant, and every admission, institution and induction to be made thereupon, shall be utterly void and of no effect, to all intents, constructions, and purposes whatsoever; and that in every such case the chancellor and scholars of the university of *Oxford*, and the chancellor and scholars of the university of *Cambridge*, by what name or names soever they or either of them are incorporated, shall respectively have the presentation, nomination, collation and donation, of and to every such benefice, prebend, or ecclesiastical living, school, hospital and donative, set, lying, and being in the respective counties, cities, and other places and limits in the said act of the third year of King *James* mentioned, as in and by the said act is directed and appointed in the case of a popish recusant convict.

And the two universities shall have the presentation, &c. in the respective counties, &c. mentioned in 3 Jac. 1. c. 5.

When any presentation is brought to any archbishop, &c. he may tender to the person, if present, the declaration in 25 Car. 2. c. 2.

If absent, summon him to appear.

II. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *July*, when and as often as any presentation to any benefice or ecclesiastical living shall be brought to any archbishop, bishop, or other ordinary, from any person who shall be reputed to be, or whom such archbishop, bishop, or other ordinary, shall have cause to suspect to be a papist, or trustee of any person making profession of the popish religion, or suspected to be such, it shall and may be lawful to and for such archbishop, bishop, or other ordinary, and he is hereby required to tender or administer to every such person, if present, the declaration against transubstantiation, set down and expressed in an act of parliament made in the five and twentieth year of the reign of the late King *Charles* the Second, intituled, *An act for preventing dangers which may happen from popish recusants*, to be by such person made, repeated and subscribed; and in case such person shall be absent, the said archbishop, bishop, or other ordinary shall, by notice in writing to be left at the place of habitation of such person, appoint some convenient time and place when and where such person shall appear before such archbishop, bishop, or other ordinary, or some persons to be authorized by such archbishop, bishop, or other ordinary, by commission under his or their seal of office; and upon such appearance, the said archbishop, bishop, or other ordinary, or such commissioners, shall tender or administer the said declaration to the person making such presentation; and in case such person shall neglect or refuse to make

make, repeat, and subscribe such declaration, when the same shall be so tendred, as aforesaid, or shall neglect or refuse to appear before such archbishop, bishop, or other ordinary, or such commissioners, upon such notice as aforesaid, That then such presentation shall be utterly void and of none effect; and in every such case, such archbishop, bishop, or other ordinary shall within ten days next after such neglect or refusal, send and give a certificate under his or their seal of office of such neglect or refusal to the vice-chancellor for the time being, of that university to whom such presentation would of right belong, if such person so presenting had been a popish recusant convict; and it shall and may be lawful, to and for the chancellor and scholars of such university, to present a person qualified according to the said acts to such benefice or ecclesiastical living; and the presentation to such benefice or ecclesiastical living, for that turn only, is hereby given unto, and vested in them for that purpose; any matter, clause or thing contained in either of the said former recited acts to the contrary thereof notwithstanding.

Refusing to make the declaration, or to appear, the presentation shall be void: And the archbishop, &c. shall certify such refusal to the university, who shall present, &c.

III. And for the better discovery of all secret trusts, and fraudulent conveyances made by papists or persons making profession of the popish religion, of their advowsons and right of presentation, nomination and donation, to any benefices or ecclesiastical livings; be it further enacted by the authority aforesaid, That when the presentation of any person presented to any benefice or ecclesiastical living, shall be brought to any archbishop, bishop, or other ordinary, the said archbishop, bishop or ordinary, is hereby required, before he give institution, to examine the person presented upon oath, whether to the best and utmost of his knowledge and belief, the person or persons who have made such presentation, be the true and real patron or patrons of the said benefice or ecclesiastical living, or made the said presentation in his, or her, or their own right, or whether such person or persons so presenting be not, mediately or immediately, directly or indirectly, trustee or trustees, or any way intrusted for some other, and what person or persons by name, who is or are papists, or make profession of the popish religion, or the children of such, or for any other and what person or persons, or what he knows, has heard, or believes, touching or concerning the same; and if such person or persons so presented shall refuse to be so examined, or shall not answer directly thereto, then and in every such case such presentation shall be void.

Bishops, &c. to examine persons presented on oath.

Refusing to be examined, the presentation shall be void.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the chancellor and scholars of the respective universities, to whom the presentations to such benefices and ecclesiastical livings should belong, in case the rightful patrons had been popish recusants convict, and their presentees or clerks, for the better discovery of such secret and fraudulent trusts, had, done, made and created, by or for such papists or persons professing the popish religion, and their child-

University may exhibit bills in chancery for the discovery of fraudulent trusts.

ren, as aforesaid, to exhibit their bill in any court of equity against such person or persons presenting, and such person or persons as they have reason to believe to be the *Cestuy que Trust* of the advowson of such benefice or ecclesiastical living, or any other person who they have cause to suspect may be able to make any other or further discovery of such secret trusts and practices; to which bill the defendants therein named, being duly served with the process of the court in which the said bill shall be exhibited, shall forthwith directly answer to the facts charged and enquired in the said bill, at the discretion of the court where such bill shall be exhibited; and in case the defendants, or any of them, shall refuse or neglect to answer the said bill in such reasonable time as shall be for that purpose allowed and appointed, by discretion of the said court where the said cause shall be depending, (the distance of place and the circumstances of the defendant or defendants considered) That then and in such case the said bill shall be taken *pro Confesso*, and be allowed as evidence against such person so neglecting and refusing, and his trustee or trustees, and his and their clerk: Provided that every person having fully answered such bill in such court of equity, and not knowing any thing of any such trust for a papist or other person disabled, as aforesaid, shall be entitled to his costs, to be taxed according to the course of the court.

When any
Quare Impedit
is depending
the court may
administer an
oath to disco-
ver any secret
trust:

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the court where any *Quare Impedit* shall be hereafter depending, at the instance of either of the said chancellors and scholars, or their clerk, being plaintiffs or defendants in such suit, by motion in open court, at their discretion to make any rule or order requiring satisfaction, upon the oath of such patron and his clerk, who in the said suit shall contest the right of the said university to present to such benefice or ecclesiastical living, by examination of them or either of them, in open court, or by commission under the seal of such court for examination of them or either of them, or by affidavit, as the said court shall find most proper, in order to the discovery of any secret trust, frauds or practices relating to the said presentation then in question; and in case it appear to the court, upon the examination of such patron and clerk or either of them, That the said patron is but a trustee for some other person or persons, that then the said patron and his clerk shall discover who such person and persons are, and where he, she, or they live or inhabit; and upon their refusal to make such discovery, or to give such satisfaction, as aforesaid, they shall be punished as persons that are guilty of a contempt to the said court; and in case such patron or his clerk shall discover the person for whom the said patron is a trustee, that then and in such case the said court, upon motion made in open court, shall make a rule or order, That the person or persons, for whom the said patron is a trustee, shall, in the said court, or before commissioners to be appointed for that purpose, under the seal of the said court, make, repeat, and subscribe the declaration against

And if it ap-
pear that the
patron is a
trustee, he
shall discover
for whom, or
be punished
as guilty of a
contempt.

Court may or-
der the person
for whom such
patron is a
trustee to ap-
pear and make
the declarati-
on, &c. who

transubstantiation herein before mentioned, and likewise, on refusing shall be esteemed a recusant convict. pain of incurring a contempt against the said court, give such further satisfaction upon oath, touching or relating to the said trust, as the said court shall think fit; and such person so required to make, repeat and subscribe the said declaration, and refusing or neglecting so to do, shall be esteemed as a popish recusant convict, in respect of such presentation.

VI. And be it further enacted, That the answer of such patron and patrons, and the person for whom he or they are any ways intrusted, and his and their clerk, or any of them, and his and their or any of their examinations and affidavits taken as aforesaid, by order of any court where such *Quare Impedit* shall be depending, or by any archbishop, bishop, or other ordinary, or the commissioners, as aforesaid, (which examinations shall therefore be reduced into writing, and signed by the party examined) shall be allowed as evidence against such patron so presenting, and his clerk.

VII. Provided always, That no such bill, nor any discovery to be made by any answer thereunto, or to any such examination, as aforesaid, shall be made use of to subject any person making any such discovery, or not answering such bill, to any penalty or forfeiture, other than the loss of the presentation then in question.

VIII. And it is hereby further enacted, That in case of any such bill or bills of discovery, as aforesaid, exhibited in any court of equity by the chancellor and scholars of either of the said universities, or their presentee, no lapse shall incur, nor plenarty be a bar, against such chancellor and scholars, in respect of the benefice or ecclesiastical living, touching which such bill shall be so exhibited, till after three months from the time that the answer to such bill shall be put in, or the same be taken *pro Confesso*, or the prosecution thereof deserted; provided that such bill or bills be exhibited before any lapse incurred.

IX. And whereas it hath been doubted whether any writ of *Quare Impedit* brought by the respective universities, for any presentation, nomination, collation or donation pursuant to the said recited acts, or either of them, may be brought by them, in or by the name of chancellor and scholars, or ought to be by their true name of incorporation respectively; it is hereby declared, That the said respective chancellors and scholars of the said universities are by this act, and were by the said former acts, entitled to sue any writ of *Quare Impedit* by the name of chancellor and scholars of the university of Oxford, and chancellor and scholars of the university of Cambridge respectively, or by their respective proper names of incorporation at their election.

X. And be it further enacted, That in case of any trust for any papist, or person professing the popish religion, confessed or discovered in and by any answer to such bill, as aforesaid, or such examination, as aforesaid, it shall and may be lawful for the court where such discovery shall be made, and such court is hereby enabled, to enforce the producing of the deeds creating and

and relating to the said trusts, by such methods as they shall find proper.

Not to extend to Scotland.

The lords of justiciary may inflict the same punishments on jesuits, &c. which the privy council of Scotland was impowered to do by an act passed in that kingdom.

XI. Provided always, that nothing herein before contained shall extend to that part of *Great Britain* called *Scotland*.

XII. *And whereas by the determination of the late privy council of Scotland, the punishments contained in an act of the parliament of Scotland, passed in the eighth session of the first parliament of King William, intituled, An act for preventing the growth of popery, cannot be fully put in execution against jesuits, priests, and other trafficking papists, who disguise and shelter themselves under borrowed names, to avoid the penalty of the law; it is therefore hereby enacted, and be it enacted by the authority aforesaid, That the lords of her Majesty's justiciary in Scotland, be hereby impowered to inflict the same punishments against jesuits, priests, and other trafficking papists, which the privy council of Scotland was impowered to do by the aforesaid act of parliament.*

CAP. XV.

An act for providing a publick reward for such person or persons as shall discover the longitude at Sea.

WHEREAS it is well known by all that are acquainted with the art of navigation, That nothing is so much wanted and desired at Sea, as the discovery of the longitude, for the safety and quickness of voyages, the preservation of ships, and the lives of men: and whereas in the judgment of able mathematicians and navigators, several methods have already been discovered, true in theory though very difficult in practice, some of which (there is reason to expect) may be capable of improvement, some already discovered may be proposed to the publick, and others may be invented hereafter. And whereas such a discovery would be of particular advantage to the trade of *Great Britain*, and very much for the honour of this kingdom; but besides the great difficulty of the thing itself, partly for the want of some publick reward to be settled as an encouragement for so useful and beneficial a work, and partly for want of money for trials and experiments necessary thereunto, no such inventions or proposals, hitherto made, have been brought to perfection; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in parliament assembled, and by the authority of the same, That the lord high admiral of *Great Britain*, or the first commissioner of the admiralty, the speaker of the honourable house of commons, the first commissioner of the navy, the first commissioner of trade, the admirals of the red, white, and blue squadrons, the master of the Trinity-house, the president of the royal society, the royal astronomer of *Greenwich*, the *Savilian*, *Lucasian*, and *Plumian* professors of the mathematicks in *Oxford* and *Cambridge*, all for the time being, the right honourable Thomas earl of *Pembroke* and *Montgomery*, *Philip* lord bishop of *Hereford*, *George* lord bishop of *Bristol*, *Thomas* lord *Treuer*, the honourable Sir *Thomas Hanmer* baronet, speaker of the honourable house of commons, the honourable *Frazer* *Roberts*

Commissioners appointed for discovering the longitude, and receiving proposals relating to it.

Roberts esq; *James Stanhope* esq; *William Clayton* esq; and *William Lowndes* esq; be constituted, and they are hereby constituted commissioners for the discovery of the longitude at sea, and for examining, trying, and judging of all proposals, experiments, and improvements relating to the same; and that the said commissioners, or any five or more of them, have full power to hear and receive any proposal or proposals that shall be made to them for discovering the said longitude; and in case the said commissioners, or any five or more of them, shall be so far satisfied of the probability of any such discovery, as to think it proper to make experiment thereof, they shall certify the same under their hands and seals, to the commissioners of the navy for the time being, together with the persons names, who are the authors of such proposals; and upon producing such certificate, the said commissioners are hereby authorized and required to make out a bill or bills for any such sum or sums of money, not exceeding two thousand pounds, as the said commissioners for the discovery of the said longitude, or any five or more of them, shall think necessary for making the experiments, payable by the treasurer of the navy; which sum or sums the treasurer of the navy is hereby required to pay immediately to such person or persons as shall be appointed by the commissioners for the discovery of the said longitude, to make those experiments, out of any money that shall be in his hands, unapplied for the use of the navy.

Commissioners to certify the probability of such discovery to the commissioners of the navy, who shall make out a bill for 2000l. for making the experiments.

14 Geo. 2. c. 39.
26 Geo. 2. c.

To be paid by the treasurer of the navy.

II. And be it further enacted by the authority aforesaid, That after experiments made of any proposal or proposals for the discovery of the said longitude, the commissioners appointed by this act, or the major part of them, shall declare and determine how far the same is found practicable, and to what degree of exactness.

The commissioners to determine how far any proposal is practicable.

III. And for a due and sufficient encouragement to any such person or persons as shall discover a proper method for finding the said longitude, be it enacted by the authority aforesaid, That the first author or authors, discoverer or discoverers of any such method, his or their executors, administrators, or assigns, shall be entitled to, and have such reward as herein after is mentioned; that is to say, to a reward, or sum of ten thousand pounds, if it determines the said longitude to one degree of a great circle, or sixty geographical miles; to fifteen thousand pounds, if it determines the same to two thirds of that distance; and to twenty thousand pounds, if it determines the same to one half of the same distance; and that one moiety or half-part of such reward or sum shall be due and paid when the said commissioners, or the major part of them, do agree that any such method extends to the security of ships within eighty geographical miles of the shores, which are places of the greatest danger, and the other moiety or half-part, when a ship by the appointment of the said commissioners, or the major part of them, shall thereby actually sail over the ocean, from *Great Britain* to any such port in the *West-Indies*, as those commissioners, or the major part of them,

Reward to the first discoverer.

When to be paid.

shall choose or nominate for the experiment, without losing their longitude beyond the limits before mentioned:

As soon as such method shall have been found practicable, the commissioners shall certify the same to the commissioners of the navy, who shall make out bills for payment of the reward, and the treasurer of the navy shall pay the same,

IV. And be it further enacted by the authority aforesaid, That as soon as such method for the discovery of the said longitude shall have been tried and found practicable and useful at sea, within any of the degrees aforesaid, That the said commissioners, or the major part of them, shall certify the same accordingly, under their hands and seals, to the commissioners of the navy for the time being, together with the person or persons names, who are the authors of such proposal; and upon such certificate the said commissioners are hereby authorized and required to make out a bill or bills for the respective sum or sums of money, to which the author or authors of such proposal, their executors, administrators, or assigns, shall be entitled by virtue of this act; which sum or sums the treasurer of the navy is hereby required to pay to the said author or authors, their executors, administrators, or assigns, out of any money that shall be in his hands unapplied to the use of the navy, according to the true intent and meaning of this act.

The commissioners may allow a less reward for any proposal of considerable use to the publick.

V. And it is hereby further enacted by the authority aforesaid, That if any such proposal shall not, on trial, be found of so great use, as aforementioned, yet if the same, on trial, in the judgment of the said commissioners, or the major part of them, be found of considerable use to the publick, that then in such case, the said author or authors, their executors, administrators, or assigns, shall have and receive such less reward therefor, as the said commissioners, or the major part of them, shall think reasonable, to be paid by the treasurer of the navy, on such certificate, as aforesaid,

CAP. XVI.

An act to reduce the rate of interest, without any prejudice to parliamentary securities.

WHEREAS the reducing of interest to ten, and from thence to eight, and thence to six in the hundred, hath, from time to time, by experience been found very beneficial to the advancement of trade, and improvement of lands: and whereas the heavy burden of the late long and expensive war hath been chiefly born by the owners of the land of this kingdom, by reason whereof they have been necessitated to contract very large debts, and thereby, and by the abatements in the value of their lands, are become greatly impoverished: and whereas by reason of the great interest and profit which hath been made of money at home, the foreign trade of this nation hath of late years been much neglected, and at this time there is a great abatement in the value of the merchandizes, wares, and commodities of this kingdom, both at home and in foreign parts, whither they are transported: and whereas for the redress of these mischiefs, and the preventing the increase of the same, it is absolutely necessary to reduce the high rate of interest of six pounds in the hundred pounds for a year to a nearer proportion with the interest allowed for money in foreign states; be it therefore enacted by the Queen's most excellent majesty, by and with the advice

advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That no person or persons whatsoever, from and after the nine and twentieth day of *September* in the year of our Lord one thousand seven hundred and fourteen, upon any contract, which shall be made from and after the said nine and twentieth day of *September*, take, directly or indirectly, for loan of any monies, wares, merchandize, or other commodities whatsoever, above the value of five pounds for the forbearance of one hundred pounds for a year, and so after that rate for a greater or lesser sum, or for a longer or shorter time; and that all bonds, contracts, and assurances whatsoever, made after the time aforesaid, for payment of any principal, or money to be lent or covenanted to be performed upon or for any usury, whereupon or whereby there shall be reserved or taken above the rate of five pounds in the hundred, as aforesaid, shall be utterly void; and that all and every person or persons whatsoever, which shall after the time aforesaid, upon any contract to be made after the said nine and twentieth day of *September*, take, accept and receive, by way or means of any corrupt bargain, loan, exchange, chevizance, shift, or interest of any wares, merchandizes or other thing or things whatsoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance, for the forbearing or giving day of payment for one whole year, of and for their money or other thing, above the sum of five pounds for the forbearing of one hundred pounds for a year, and so after that rate for a greater or lesser sum, or for a longer or shorter term, shall forfeit and lose for every such offence the treble value of the monies, wares, merchandizes, and other things so lent, bargained, exchanged or shifted:

II. And be it further enacted by the authority aforesaid, That all and every scrivener and scriveners, broker and brokers, solicitor and solicitors, driver and drivers of bargains for contracts, who shall after the said nine and twentieth day of *September* take or receive, directly or indirectly, any sum or sums of money, or other reward or thing for brokage, soliciting, driving, or procuring the loan, or forbearing of any sum or sums of money, over and above the rate or value of five shillings for the loan, or forbearing of one hundred pounds for a year, and so ratably, or above twelve pence, over and above the stamp-duties, for making or renewing of the bond or bill for loan, or forbearing thereof, or for any counterbond or bill concerning the same, shall forfeit for every such offence twenty pounds, with costs of suit, and suffer imprisonment for half a year; the one moiety of all which forfeitures to be to the Queen's most excellent majesty, her heirs and successors, and the other moiety to him or them that will sue for the same in the same county where the several offences are committed, and not elsewhere, by action of debt, bill, plaint or information, in which no essoin, wager of law or protection shall be allowed.

After 29 Sept. 1714. no person shall take above 5l. per cent. interest.

All bonds, &c. for a greater interest shall be void.

And persons taking above 5l. for the forbearance of 100l. for a year, shall forfeit treble the value of the monies, &c.

After 29 Sept. 1714. no scrivener, &c. shall take above 5s. for 100l. for a year, for brokage, &c. nor above 12d. besides stamp duties, for making or renewing any bond, &c. on penalty of 20l. costs, and imprisonment for six months; one moiety to the Crown, the other to the prosecutor.

C. AP. XVII.

An act for the speedy and effectual preserving the navigation of the river of Thames, by stopping the breach in the levels of Havering and Dagenham in the county of Essex; and for ascertaining the coal measure.

WHEREAS the preservation of the river of Thames is of the utmost importance, as well to the city of London, as to the trade of this whole kingdom: and whereas in the year one thousand seven hundred and seven, by a violent inundation of the said river of Thames, there happened a great breach in the walls or banks of the levels of Havering and Dagenham in the county of Essex, next adjoining to the said river, whereby one thousand acres of land in the said levels is overflowed, and the same, if not speedily remedied, will tend to the apparent hazard of the navigation of the said river, by the continual quantities of earth and gravel, which every tide are brought from the said breach, and have already occasioned a shelf or sand bank to grow up near the mouth of the said breach, which reaches almost half cross the river in breadth, and near a mile in length; insomuch that if the said breach is not stopped, and the walls or banks made good again, the navigation of the said river of Thames is in danger of being utterly destroyed: for remedy whereof, be it enacted, &c.

For 10 years from 10 July 1714. Ships coming into the port of London, to pay 3d. per ton. Coasters 3s. each voyage. Colliers 1d. per chaldet. Names of the trustees. Trustees may appoint receivers of these duties. Duties to be applied to the stopping the breach. Accounts, &c. to be laid before the parliament. No custom, &c. to take any entries, &c. till these duties are paid, on forfeiture of 50l. Collector may enter ships, and distrain for the duties. Trustees may borrow money on this act at 6l. per cent. If sufficient money be raised within the 10 years, then the duties to cease. **EXP.**

XI. And whereas the practice and usage in the port of London for many years last past, in the measurement of all sorts of coals, commonly called sea coals, water-born, liable to the several duties, and chargeable with the same by several acts of parliament, hath usually been made by a bushel equal to one bushel and one quart, Winchester measure, according to the standard in her Majesty's Exchequer: and whereas some doubts and disputes have of late arisen touching the measurement of sea coals; for preventing therefore all such disputes for the future, be it enacted and declared by the authority aforesaid, That the bushel commonly called the coal bushel, shall be made round, with a plain and even bottom, and to be nineteen inches and a half from outside to outside, and to contain one Winchester bushel and one quart of water, according to the standard for the Winchester bushel, described by an act of parliament made in the thirteenth year of the reign of his late majesty King William for settling a duty upon malt, and all sea coals and culm chargeable with any duties by the Winchester measure, from and after the first day of August one thousand seven hundred and fourteen, shall be chargeable with the said duties,

The contents
of a coal
bushel.
13 & 14 W. 3.
c. 5. s. 28. ●

duties, and be sold, measured, and paid by the chalders, containing thirty-six of such bushels, as aforesaid, heaped up, and no other, and so in proportion for any greater or lesser quantity, under the like penalties and forfeitures as are by law prescribed in regard to the *Winchester* bushel; any law, usage or custom to the contrary in any wise notwithstanding.

XII. *And for the more easy and better ascertaining the contents of the said bushel*, be it further enacted by the authority aforesaid, That the lord high treasurer, or any three or more of the commissioners of the treasury for the time being, shall cause an exact bushel to be made of brass of the manner and dimensions aforesaid, and the same to be sealed and kept in her Majesty's Exchequer as a standard for the purposes aforesaid, that recourse may be had thereto as occasion shall require.

A standard bushel to be kept in the Exchequer. The penalty of 50 l. is laid on dealers in coals not using such a bushel, by 3 Geo. 2. c. 26. l. 13.

Lands sold by decree of commissioners of sewers, &c. may be redeemed by the land owners before 1 Dec. 1714. Notice in the gazette of receiving proposals for stopping the breach. Coasting hoys not chargeable. EXP.

C A P. XVIII.

An act for the preserving all such ships and goods thereof, which shall happen to be forced on shore, or stranded, upon the coasts of this kingdom, or any other of her Majesty's dominions.

WHEREAS by an act made in the third year of the reign of King Edward the First, concerning wrecks at sea, it is enacted, That where a man, a dog, or a cat, escape quick out of the ship, that such ship, nor barge, nor any thing in them, shall be adjudged a wreck, but the goods shall be saved, and kept by view of the sheriff, coroner, or the King's bailiff, and delivered into the hands of such as are of the town where the goods were found; so that if any sue for those goods, and after prove that they were his, or perished within his keeping, within a year and a day, they shall be restored to him without delay, and if not, they shall remain to the King, or to such others to whom wreck belongeth; and he that otherwise doth, and thereof be attainted, shall be awarded to prison, and make fine at the King's will: and whereas by another act made in the fourth year of the reign of the said Edward the First, intituled, *De officio Coronatoris*, concerning the wreck of the sea, it is enacted, That whosoever it be found, if any lay hands of it, he shall be attached by sufficient pledges, and the price of the wreck shall be valued, and delivered to the town: and whereas great complaints have been made by several merchants, as well her Majesty's subjects as foreigners, trading to and from this kingdom, that many ships of trade, after all their dangers at sea escaped, have unfortunately, near home, run on shore, or been stranded on the coasts thereof; and that such ships have been barbarously plundered by her Majesty's subjects, and their cargoes embexilled, and when any part thereof has been saved, it has been swallowed up by exorbitant demands for salvage, to the great loss of her Majesty's revenue, and to the much greater damage of her Majesty's trading subjects: for remedy whereof, be it enacted by the Queen's most

Ed. 1. c. 4.

Ed. 1. stat. 2.

Sheriffs,
mayors, &c.
and custom-
house officers
to summon
men to assist
ships in di-
stresses.

All ships to
assist,

on forfeiture
of 100l.

Reasonable
salvage to be
made.
By 5 Geo. 1.
c. 13. s. 13.
*Goods saved
from stranded
ships are to pay
custom.*

most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the sheriffs, justices of the peace of every county, or county of a city or town, and also all mayors, bailiffs, and other head officers of corporations and port towns near adjoining to the sea, and all constables, headboroughs, tything-men, and officers of the customs in all and every such places shall, upon application made to them, or any of them, by or on the behalf of any commander or chief officer of any ship or vessel of any of her Majesty's subjects, or others, being in danger of being stranded or run on shore, or being stranded or run on shore, are hereby empowered and required to command the constables of the several ports within her Majesty's dominions, nearest to the sea coasts where any such ship or vessel shall be in danger, as aforesaid, to summon and call together as many men as shall be thought necessary to the assistance and for the preservation of such ship or vessel so in distress, as aforesaid, and their cargoes; and that if there shall be any ship or vessel, either man of war or merchants ship, belonging to her Majesty, or any of her subjects, riding at anchor near the place where such ship or vessel is in distress or danger, as aforesaid, the officers of the customs, and constables above mentioned, or any of them, are hereby empowered and required to demand of the superior officers of such ship or vessel so riding at anchor, as aforesaid, assistance by their boats, and such hands as they can conveniently spare, for the said service and preservation of the said ship or vessel so in distress, as aforesaid; and that in case such superior officer of such ship or vessel riding at anchor, as aforesaid, shall refuse or neglect to give such assistance, he shall forfeit for the same the sum of one hundred pounds, to be recovered by the superior officer of the said ship or vessel so in distress, as aforesaid, together with their costs of suit, in any of her Majesty's courts of record, by action, debt, bill, plaint or information, wherein no essoin, wager of law, or protection shall be allowed.

II. And for the encouragement of such persons as shall give their assistance to such ships or vessels so in distress, as aforesaid, be it further enacted, That the said collectors of the customs, and the master or commanding officer of any ships or vessels, and all others who shall act or be employed in the preserving of any such ship or vessel in distress, as aforesaid, or their cargoes, shall within thirty days after the service performed be paid a reasonable reward for the same, by the commander, master, or other superior officer, mariners or owners of the ship or vessel so in distress, as aforesaid, or by the merchant, whose ship, vessel, or goods shall be so saved, as aforesaid; and in default thereof, the said ship, vessel or goods so saved, as aforesaid, shall remain in the custody of such officer of the customs, or his deputy, until such time that all charges shall be paid, and until the said officer of the customs, or his deputy, and the said master or other officer of the ship or vessel, and all others so im-
employed

ployed as aforesaid, shall be reasonably gratified for their said assistance and trouble, or good security given for that purpose, to the satisfaction of the several parties that are to receive the same; and that in case after such salvage, the commander or other superior officer, mariners or owners of such ship or vessel so saved, as aforesaid, or merchant whose goods shall be so saved, as aforesaid, shall disagree with the said officer of the customs, or his deputy, touching the monies deserved by any of the persons so employed, as aforesaid, it shall be lawful for the commander of such ship or vessel so saved, or the owner of the goods, or the merchant interested therein, and also for the said officer of the customs, or his deputy, to nominate three of the neighbouring justices of the peace, who shall thereupon adjust the *quantum* of the monies or gratuities to be paid to the several persons acting or being employed in the salvage of the said ship, vessel or goods; and such adjustments shall be binding to all parties, and shall be recoverable in an action at law to be brought in any of her Majesty's courts of record, by the respective persons to whom the same shall be allotted by the said justices of peace; and in case it shall happen, that no person shall appear to make his claim to all or any the goods that shall be saved, that then and in such case, the chief officer of the customs of the nearest port to the place where the said ship or vessel was so in distress, as aforesaid, shall apply to three of the nearest justices of the peace, who shall put him or some other responsible person in possession of the said goods, such justices of peace taking an account in writing of the said goods, to be signed by such officer of the customs; and if the said goods shall not be legally claimed within the space of twelve months next ensuing, by the rightful owner thereof, then publick sale shall be made thereof, and if perishable goods, forthwith to be sold, and after all charges deducted, the residue of the monies arising by such sale, with a fair and just account of the whole, shall be transmitted to her Majesty's Exchequer, there to remain for the benefit of the rightful owner when appearing, who upon affidavit or other proof made of his or their right or property thereto, to the satisfaction of one of the barons of the coise of the Exchequer, shall upon his order receive the same out of the Exchequer.

Three justices to adjust the quantum.

Goods not claimed in 12 months, to be sold,

and the monies transmitted into the Exchequer, &c.

III. And it is hereby also enacted, That if any person or persons whatsoever, besides those impowered by the said officer of the customs, or his deputy, and the constables, as aforesaid, shall enter or endeavour to enter on board any such ship or vessel so in distress, as aforesaid, without the leave or consent of the commander, or other superior officer of the said ship, or of the said officer of the customs, or his deputy, or of the said constable, or some or one of them employed for the service and preservation of the said ship or vessel, as aforesaid; or in case any person shall molest him, them, or any of them, in the saving of the said ship, vessel or goods, or shall endeavour to impede or hinder the saving of any such ship, vessel or goods, or when any such goods are saved, shall take out or deface the marks of any

Persons entering ship without leave,

or hindering the saving the ship, to make double satisfaction.

any

Masters may
repel pressers
into the ship.

any such goods, before the same shall be taken down in a book or books for that purpose provided by the commander or ruling officer, and the first officer of the customs, as aforesaid, such person or persons shall, within the space of twenty days, make double satisfaction to the party grieved, at the discretion of the two next justices of peace, or in default thereof, shall by such justices of peace be sent to the next house of correction, where he shall continue and be employed in hard labour by the space of twelve months then next ensuing; and that it shall be lawful for any commander or superior officer of the said ship or vessel so in distress as aforesaid, or for the said officer of the customs, or constables on board the same ship or vessel, to repel by force any such person or persons as shall, without such leave or consent from the said commander or superior officer, or the said officer of the customs, or his deputy, or such constables, as aforesaid, press on board the said ship or vessel so in distress, as aforesaid, and thereby molest them in the preservation of the said ship or vessel so in distress, as aforesaid.

Goods carried
off, to be im-
mediately de-
livered up.

IV. And it is hereby likewise enacted, That in case any goods shall be found upon any person or persons, that were stolen or carried off from any such ship or vessel so in distress, as aforesaid, he, she, or they, on whom such goods shall be found, shall immediately, upon demand, deliver the same to the owner thereof, or to such person by such owner authorized to receive the same, or in default thereof, shall be liable to pay treble the value of such goods, to be recovered by such owner in an action at law to be brought for the same.

Penalty treble
the value.

Making holes
in the ship,
&c. felony.

V. And it is hereby moreover enacted, That if any person or persons shall make, or be assisting in the making any hole in the bottom, side, or any other part of any ship or vessel so in distress, as aforesaid, or shall steal any pump belonging to any ship or vessel so in distress, as aforesaid, or shall be aiding or abetting in the stealing such pump, as aforesaid, or shall wilfully do any thing tending to the immediate loss or destruction of such ship or vessel, such person or persons shall be and are hereby made guilty of felony, without any benefit of his, her, or their clergy.

General issue.

VI. And be it further enacted by the authority aforesaid, That if any action, suit, or information, shall be commenced or prosecuted against any person or persons, for any thing that he or they shall do, or cause to be done, in pursuance of this act, and executing any of the powers and authorities, or any of the orders or direction therein mentioned, all and every person and persons so sued in any court whatsoever, shall and may plead the general issue, and give this act and the special matter in evidence; and if in any such suit the plaintiff or prosecutor shall become nonsuit, or forbear prosecution, or discontinue the suit, or if a verdict shall pass against him, or judgment be given against him upon a demurrer, then in any of the said cases, the defendant or defendants shall recover full costs, for which he and they shall have the like remedy as where costs by law are awarded;

warded; and this act shall be taken and allowed in all courts Publick act. within this kingdom as a publick act, and all judges and justices are hereby required to take notice thereof as such without special pleading of the same.

VII. Provided nevertheless, if any officer of the customs, or Custom-house his deputy so impowered, as above, shall, by fraud or wilful officer abusing neglect, abuse the trust so hereby reposed in him, as aforesaid, his trust, to and shall be convicted thereof in due form of law, such officer, damages, and forfeit treble or his deputy, shall respectively forfeit treble damages to the party disabled, grieved, to be recovered in any action or suit to be brought in any court of record, and shall from thenceforth be fully disabled and rendered incapable of the same, or any other employment relating to the said customs.

VIII. And it is hereby further enacted, That this act, and Act to com- the several clauses herein contained, shall take effect from mence 1 Aug. and after the first day of *August* in the year of our Lord one 1714. and to thousand seven hundred and fourteen; and that for the better be read four observing of the same, this act shall be read four times in the times in the year in all the parish churches and chapels of every sea-port days in sea-town, and upon the sea-coast in this kingdom, upon the Sun-port towns, days next before *Michaelmas-day*, *Christmas-day*, *Lady-day*, and *Midsummer-day* in the morning, immediately after the prayers, and before the sermon.

IX. Provided always, and it is hereby enacted, That neither Claims to this act, nor any thing herein contained, shall any ways extend wreck saved. to deprive, or any ways prejudice her royal Majesty, her heirs or successors, or any claiming under them, or any of them, or any patentee or grantee of the crown, or any lord or lords of any manor or manors, or other person whatsoever, of or in relation to any right which they, or any of them respectively have, or shall have, or lawfully may claim to any wreck or wrecks, or any goods that are or shall be flotsam, jetsam or lagan, but that such respective rights shall be enjoyed in as full, ample, and beneficial a manner, in every respect, as if this act had never been made.

X. Provided, That this act shall continue in force for the space Continuation. of three years, and from thence to the end of the next session of parliament, and no longer. *Made perpetual by 4 Geo. I. c. 12.*

CAP. XIX.

An act to explain a clause in an act of parliament of the tenth year of her Majesty's reign, for laying several duties upon all sops and paper made in Great Britain, or imported into the same; and upon chequered and striped linens imported; and upon certain silks, callicoos, linens and stuffs, printed, painted or stained; and upon several kinds of stamp vellum, parchment and paper; and upon certain printed pamphlets and advertisements; for raising the sum of eighteen hundred thousand pounds by way of a lottery; and for other purposes in the said act mentioned, so far as the said act relates to lawns, canvases, buckrams, barras, and Silesia neckcloths.

10 ANN. C. 19.

WHEREAS in and by an act passed in the tenth year of her present Majesty's reign, intituled, An act for laying several duties upon all sops and paper made in Great Britain, or imported into the same; and upon chequered and striped linens imported; and upon certain silks, callicoos, linens and stuffs, printed, painted or stained; and upon several kinds of stamp vellum, parchment and paper; and upon certain printed papers, pamphlets and advertisements; for raising the sum of eighteen hundred thousand pounds by way of a lottery, towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp-duties by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock (part of the capital of the South Sea company) for the use of the publick: it was enacted, That there should be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all chequered and striped linens, and upon all linens, and upon all linens printed, painted, stained or dyed, after the manufacture, or in the thread and yarn before the manufacture, in any foreign parts, which at any time or times, within or during the term of thirty-two years, to be reckoned from the twentieth day of July one thousand seven hundred and twelve, should be imported or brought into the kingdom of Great Britain, and might lawfully be used or worn there (over and above all other customs, subsidies and duties imposed upon, or payable for the same) a duty of fifteen pounds for every one hundred pounds of the true and real value thereof, to be paid by the importers respectively; and also, that all and every printers, painters, stainers, dyers, drapers, mercers, upholders, traders and dealers respectively, having on the said twentieth day of July, one thousand seven hundred and twelve, in his, her, or their custody or possession, or in the custody or possession of any other person or persons, for his, her or their use, benefit or account, any stock or quantity of such chequered or striped linens, or of such printed, painted, stained

or dyed silks, callicoes, linens, or such stuffs, as aforesaid, being for sale, either wholesale or retail, should yield and pay to her Majesty for the same, so much money as one half-part of the rates and duties by the said act imposed on the like respective commodities, after the commencement of the said act, should amount unto; the said half-part for the said stocks to be paid within three months after the said twentieth day of July aforesaid; and whereas some doubts have arisen whether lawns, linens striped or chequered, being all white, and neckcloths having stripes at the end only; as also barras striped or chequered, and buckrams are liable by the said act to the above mentioned duties; be it enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all lawns, and striped or chequered linens, being all white, and neckcloths striped at the end only; and also barras, or packing canvas and buckrams, were not charged, or intended to be charged by the said recited act, upon the importation thereof, with any of the duties by the same act granted; any thing in the said recited act contained to the contrary thereof notwithstanding.

Lawns, Silefia neckcloths, barras, canvas, and buckrams, not chargeable by 10 Ann. c. 19. l. 66.

C A P. XX.

An act to explain and make more effectual an act passed in the tenth year of her present Majesty's reign, for preventing abuses in making linen cloth, and regulating the lengths and breadths, and equal sorting of yarn, in each piece made in Scotland, and for whitening the same.

WHEREAS by an act made in the tenth year of her Majesty's reign, intituled, An act to prevent abuses in making linen cloth, and regulating the lengths, breadths, and equal sorting of yarn for each piece made in Scotland, and for whitening the same; and forasmuch as there was no provision made in the said act for regulating the lengths, breadths, and equal sorting of yarn for dornick or towelling or for quarter-pieces of white linen cloth; for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *August*, which shall be in the year of our Lord one thousand seven hundred and fourteen, all sorts of dornick, towelling, or plain linen cloth made in Scotland, shall be made of well sorted yarn, for each piece, and equally wrought, and equally fine, from the one end of the piece to the other, and shall be by the standard yard-wand, of the lengths and breadths following, That each piece of broad, double, or single dornick tablecloths, shall be in length twelve yards and a quarter, the half piece six yards and one eighth, and shall be full two yards in breadth; and that each piece of double or single dornick for naprie or towelling, shall be full twenty-four yards, and the half piece twelve yards in length, and shall be full three quarters

10 Ann. c. 22.

After 1 Aug. 1714 all dornick, towelling and plain linen made in Scotland, shall be made of well sorted yarn, &c.

The lengths and breadths.

ters of a yard, or full half yard in breadth; and that each quarter-piece of plain white linen cloth shall be full ten yards in length, and shall be full yard, or full three quarters of a yard, or full half an yard in breadth.

Penalty 5 s. for every yard;

to be recovered as by 10 Ann. c. 21.

II. And be it further enacted, That every person offending in any of the matters aforesaid, contrary to the directions of this act, do and shall for every such offence forfeit and pay the sum of five shillings for every yard of cloth; and that the offences aforesaid shall be examinable and determinable in such manner, and the said forfeitures and penalties shall be sued for, levied and recovered, as the penalty of five shillings sterling mentioned in the said former act is directed to be examined and determined, sued for, levied and recovered.

C A P. XXI.

An act to explain part of an act made in the seventh year of her Majesty's reign, (for enlarging the capital stock of the bank of England, and for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and nine) so far as the same relates to unwrought inkle imported into this kingdom.

7 Ann. c. 7.

WHEREAS by an act made in the seventh year of the reign of her present Majesty, intituled, An act for enlarging the capital stock of the bank of England, and for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and nine, it is expressly enacted and provided, That all European linens, sisters thread and tapes, or incles (among other things) shall be exempted from the payment of the duties called the two third subsidies, for all times to come during the continuance of the same: and whereas some doubts and disputes have arisen between the commissioners of her Majesty's customs and the merchants and other importers of the said tapes and incles, by means of the uncertainty whether the exception of the tape or inkle, mentioned in the said act, be only of tapes that are wrought inkle, so that all wrought inkle is thereby exempted from the payment of the aforesaid duties, though manufactured abroad in parts beyond the seas, and unwrought incles, which imply great numbers of poor in manufacturing the same, is construed to be liable to, and is charged with the said duties, contrary to the true intent and meaning of the said law, as appears evidently, in that the bringing in and importing wrought inkle, is prejudicial to Great Britain, and the poor subjects and manufacturers thereof; be it therefore enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said provision and exception in the said act above mentioned, in relation to tapes or incles, shall extend and be construed to exempt European unwrought inkle, commonly called or known by the name of short spinnal, as well as wrought inkle, from the payment of the said duties of the two third subsidies, which shall be entred at any of her Majesty's

European unwrought inkle exempted from the duties of the two third subsidies.

Majesty's custom-houses within the kingdom of *Great Britain*, after the twentieth day of *July* one thousand seven hundred and fourteen; any law, custom or usage to the contrary hereof in any wise notwithstanding.

C A P. XXII.

An act to continue an act of the sixth year of her Majesty's reign, intituled, *An act to enable her Majesty to make leases and copies of offices, lands and hereditaments, parcel of her duchy of Cornwall, or annexed to the same.*
EXP.

C A P. XXIII.

An act for reducing the laws relating to rogues, vagabonds, sturdy beggars and vagrants, into one act of parliament; and for the more effectual punishing such rogues, vagabonds, sturdy beggars and vagrants, and sending them whether they ought to be sent. *Repealed*
13 Geo. 2. c. 24.
17 Geo. 2. c. 5.

Who shall be deemed rogues and vagabonds. Constables, &c. may apprehend a vagabond, and carry him before a justice. Constable, &c. neglecting, to forfeit 10s. to the poor. Justice may order a reward of 1s. for apprehending a vagabond, to be paid by the constable where he passed unapprehended, on penalty of 10s. Justices to order a general privy search in the night. Persons apprehended to be examined and sent by the justices to their legal settlement. Examination to be transmitted to the sessions. If no legal settlement can be found, he shall be sent to the place of his birth. If under the age of 14, to the abode of father or mother, or where last found begging, &c. Persons having a legal settlement, found wandering, &c. may be whipped or sent to the house of correction. How the charges of conveying shall be born. Dangerous rogues to be sent to the house of correction or gaol, till next quarter-sessions, who may order them to be whipt and kept to hard labour. And any such rogue escaping from prison shall be guilty of felony. Justice shall not make a pass for conveying a vagrant to the place of his birth, if he has any legal settlement, on forfeiture of 5l. Persons apprehended refusing to be examined, &c. may be punished as incorrigible rogues. Justices to certify the manner, time, and allowance for conveying, &c. Constable, &c. to convey the person as directed by the pass, and deliver him to the constable, &c. of the place whither sent, taking a note of such delivery; which the said constable, &c. is required to give, and to apply to some justice, who shall cause such vagabond to be whipt, &c. and conveyed forward, &c. No constable obliged to receive any person, unless it appear he has been whipt. (except women with child, soldiers, &c.) Justices in quarter-sessions to appoint rates for conveying of vagrants. Quarter-sessions to cause such sums to be raised as monies for county gaols or bridges: to be paid to the chief constables, who shall account for the same twice a year. Chief constable to pay petty constable the rates ascertained in the certificate, and be allowed it on his account. Counterfeiting, &c. any certificate, forfeits 20l. above the sum taken. One half to the poor, the other to informer, to be levied by distress. Justices may examine constable, &c. on oath, concerning the conveying, &c. Parish to which conveyed, shall employ such person in work. Refusing to work, he shall be sent to the house of correction. Penalty on a parish for suffering such person to wander again. Person wandering again, to be sent to the house of correction till next sessions, and then to give security for good behaviour for one year, or be deemed an incorrigible rogue. Person found to have no settlement, &c. shall be an apprentice for seven years, either here or in the plantations. Master, &c. of such person so bound and transported, to enter into a recognizance, that he shall be employed in the Queen's plantations, &c. Persons aggrieved by orders of justices may appeal to quarter-sessions, whose determination shall be final. Constables, &c. to remove blind and lame beggars, &c. and whip them if they refuse, or offend a second time, on penalty of 10s. Duty of justices in regard to lunatics. Not to extend to abridge the Queen's prerogative.

prerogative, or the power of the lord chancellor. Master of a ship bringing any rogue, &c. into this realm, from Ireland, the plantations, &c. shall forfeit 5l. &c. And the person so brought over shall be sent back. Penalty on the master of the ship how to be recovered. Master may traverse the order of the justices, giving 50l. security to answer the costs, &c. Masters of ships, &c. bound for Ireland, &c. to take vagrants on board, and convey them to Ireland, &c. on forfeiture of 5l. Constable remiss in his duty, and persons disturbing, &c. the execution of this act, and rescuing, &c. any person apprehended, shall for every offence forfeit 20s. to the poor. The acts 29 Eliz. c. 4. 1 Jac. 1. c. 7. and so much of 7 Jac. 1. c. 4. as relates to the privy search, repealed. Not to extend to prejudice the heirs or assigns of John Dutton, &c. REP.

*Anno Regni GEORGII I. Regis Magnæ
Britanniæ, Franciæ & Hiberniæ, primo.*

AT the parliament met at Westminster the first day of August, Anno Domini one thousand seven hundred and fourteen, in the first year of the reign of our sovereign Lord George by the grace of God, of Great Britain, France and Ireland, King, defender of the faith, &c. on occasion of the demise of her late majesty Queen Anne (of blessed memory) in pursuance of the act of the sixth year of her said late Majesty's reign, intituled, An act for the further security of her Majesty's person and government, and of the succession to the crown of Great Britain in the protestant line, (a) and by adjournments continued until the twenty-fifth day of the same month.

(a) The following words are added from the inrollment.

C A P. I.

An act for the better support of his Majesty's household, and of the honour and dignity of the crown of Great Britain.

1 Ann. Stat. 1.
c. 7.

12 Car. 2. c. 23.

2 W. & M.
sess. 1. c. 3.

MAY it please your most excellent Majesty, Whereas by an act of parliament made in the first year of the reign of our late sovereign lady Queen Anne (of blessed memory,) intituled, An act for the better support of her Majesty's household, and of the honour and dignity of the crown, it was (amongst other things) enacted, That the rates and duties of excise, upon beer, ale, and other liquors, which had been granted to his late majesty King Charles the Second, (of blessed memory) by an act made in the twelfth year of his reign, intituled, A grant of certain impositions upon beer, ale, and other liquors, for the increase of his Majesty's revenue during his life, and which were granted to their late majesties King William and Queen Mary (of blessed memory) by an act made in the second year of their reign, for their lives, and the life of the survivor of them (a certain duty of six pence for every barrel of vinegar-beer, granted by the same acts, excepted) and also a duty of six pence,

part of a duty of eight shillings, which was granted to his said late majesty King William, for and upon every barrel of vinegar, vinegar-beer, or liquor preparing for vinegar, which should be brewed or made of any English materials, by any person or persons whatsoever for sale, and so in proportion for a greater or lesser quantity, by an act made in the tenth year of his reign: and likewise the further subsidy of tonnage and poundage, and other duties upon wines, goods and merchandizes, which had been granted to his said late majesty King William for his life, by an act made in the ninth year of his reign, intituled, An act for granting to his Majesty a further subsidy of tonnage and poundage, towards raising the yearly sum of seven hundred thousand pounds, for the service of his Majesty's household, and other uses therein mentioned, during his Majesty's life, should be levied, collected, and paid to her said late majesty Queen Anne, for and during the term of her natural life: and in and by the said act of the first year of the reign of her said late majesty Queen Anne, it was enacted and declared, That the hereditary rates and duties of excise upon beer, ale, and other liquors, which were granted to the crown in the twelfth year of the reign of the said late King Charles the Second, and the said duties of excise upon beer, ale, and other liquors, granted to her Majesty by the said act of the first year of her reign, for her life (subject nevertheless to the incumbrances in that act mentioned) and the monies arising by the said further subsidy of tonnage and poundage, and other duties thereby granted, and the revenue arising in the general letter-office or post-office, or office of post-master general, and the small branches of her Majesty's revenues, therein particularly described or mentioned, should be for the support of her Majesty's household, and of the honour and dignity of the crown, as by the said act of the first year of her said late Majesty's reign (relation being thereunto had) may more fully appear: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to settle on your Majesty a competent revenue, for defraying the expences of your Majesty's civil government, and better supporting the dignity of the crown of Great Britain, during your life (which God long preserve) and as a testimony of our unfeigned affection to your sacred person, by whose peaceable and happy accession to the throne (after the loss of our late most gracious sovereign Lady) your Majesty's subjects are not only delivered from the fear of their enemies, but have a prospect (which they are bound to own with thankfulness to Almighty God) that the religion, laws and liberties of this realm will be continued, and that they your said subjects, and their posterity may, through his divine goodness, enjoy a long tranquillity under your Majesty's auspicious reign, have therefore freely and unanimously resolved to give and grant, and do by this act give and grant to you our most gracious sovereign lord King George, the several rates, duties, impositions and charges herein after mentioned, during your Majesty's life; and do most humbly beseech your Majesty, that it may be enacted: and be it enacted, &c.

10 & 11 W. 3.

c. 21.

9 & 10 W. 3.

c. 23.

1 Ann. stat. 1.

c. 7.

For the application of the surplus arising from this act, See 1 Geo. 1. stat. 2. c. 12. f. 25. and 7 Geo. 1. stat. 1. c. 27.

During the life of his Majesty, the excise granted to King Charles the Second shall be paid to King George. The further subsidy of tonnage and poundage, granted by the act of the ninth of King William, shall during the

12 Car. 2. c. 23.

2 W. & M.

stat. 1. c. 3.

10 & 11 W. 3. the life of King George, be paid to his Majesty, These said duties, and
 c. 21. the revenue of the post office, and the small branches of his Majesty's re-
 9 & 10 W. 3. venues, viz. Fines for writs of covenant, and writs of entry, payable in
 c. 23. the alienation-office, the post-fines, the revenue of the wine-licences, fine-
 1 Ann. stat. 1. riffs profers and compositions in the Exchequer, seizures of uncustomed
 c. 7. and prohibited goods, his Majesty's rents of lands, or for fines of leases,
 2 & 3 Ann. and all other revenues settled for the support of her late Majesty's household,
 c. 3. &c. (except the duty of four and an half per cent. in Barbadoes and the
 12 & 13 W. 3. Leeward Islands, and except the revenue of the dutchy of Cornwall, and
 c. 12. except the first-fruits and tenths of the clergy,) shall be for the support of
 2 & 3 Ann. c. 3. his Majesty's household, and of the honour and dignity of his crown. The
 3 Ann. c. 2. weekly sum of three thousand seven hundred pounds charged upon the ex-
 9 Ann. c. 10. cise, shall be taken out of the said duties of excise granted to King George.
 9 Ann. c. 23. Nothing in this act shall hinder the payment of the weekly sum of seven
 hundred pounds out of the post-office. The sum of thirty-five thousand
 pounds, payable out of the excise, granted during the term of thirty two
 years, shall be charged upon the said duties of excise granted to King
 George. EXP.

65021. 8s. 8d. VIII. *And whereas by an act made in the last session of this present*
 for the Hano- *parliament, intituled, An act for laying additional duties on soap*
 over troops, *and paper, and upon certain linens, silks, calicoes and stuffs,*
 12 Ann. stat. 2. *and upon starch, and upon exported coals, and upon stamp*
 c. 9. *vellum, parchment and paper, for raising one million four*
hundred thousand pounds by way of a lottery, for her Majesty's
supply; and for allowances on exporting made wares of leather,
sheep skins and lamb skins; and for distribution of four thou-
sand pounds, due to the officers and seamen for gun-money; and
to adjust the property of tickets in former lotteries, and
touching certain shares of stock in the capital of the South Sea
company; and for appropriating the monies granted to her Ma-
jesty, any sum not exceeding in the whole three hundred thousand
pounds is appropriated towards satisfying the debt due on account to the
land-forces, and to the out-pensioners; in which said debt due on ac-
count to the land forces, the sum of sixty-five thousand twenty-two
pounds eight shillings and eight pence, being the arrears of pay and
extraordinaries due to the troops of Hanover for their service in the
Low Countries, in the year one thousand seven hundred and twelve,
is included; be it enacted by the authority aforesaid, That out
of the said sum of three hundred thousand pounds, there shall
and may be issued and applied the sum of sixty-five thousand
twenty-two pounds eight shillings and eight pence, for and to-
wards the satisfying and discharging the said arrears of pay and
extraordinaries due to the said troops, as aforesaid.

Reward for
 taking the
 pretender.

IX: *And whereas our late gracious sovereign Queen Anne, of blessed*
memory, being fully convinced of the imminent dangers which threat-
ned her kingdoms, and the protestant succession in the house of Hanover,
as well as from a just resentment of the indignities offered to her Ma-
jesty by the pretender's remaining in Lorrain, in defiance of her re-
peated instances for his removal, and of the treasonable practices com-
mitted by instilling her Majesty's subjects in the service of the pretender,
was pleased to issue her royal proclamation, thereby promising a re-
ward of five thousand pounds to such person who should apprehend the
pretender: and whereas the commons of Great Britain in parliament
assembled, did by their humble address assure her Majesty, that they
would

would assist her by granting out of the first aids to be given by par-
liament the sum of one hundred thousand pounds, as a further encour-
agement and reward for apprehending the pretender, whenever he
should land, or attempt to land, in any of her late Majesty's dominions;
now to the end that the encouragement and reward for a service so im-
portant may be rendered sure and effectual, be it further enacted by
the authority aforesaid, That the lord high treasurer of Great
Britain, or the commissioners of the treasury for the time being
shall, and are hereby authorized and required, out of the mo-
nies granted, or to be granted by parliament for the use of the
publick, forthwith to issue and pay the sum of one hundred
thousand pounds to any person or persons who shall seize and
secure the person of the pretender, whenever he shall land or
attempt to land, in any of his Majesty's dominions.

CAP. II.

An act for rectifying mistakes in the names of the commis-
sioners for the land-tax for the year one thousand seven
hundred and fourteen; and for raising so much as is want-
ing to make up the sum of fourteen hundred thousand
pounds, intended to be raised by a lottery for the publick
service in the said year.

II. **A**ND whereas by an act made in the said parliament bolden at
Westminster in the twelfth year of the reign of our said
late sovereign lady Queen Anne, for laying additional duties on
sape and paper, and upon certain linens, silks, callicoos and stuffs,
and upon starch, and exported coles, and upon stamp vellum, parch-
ment and paper, for raising one million and four hundred thousand
pounds by way of a lottery, (amongst other things therein contained)
it was enacted, That yearly and every year, during the term of two
and thirty years, reckoning the first year to begin from the twenty-
ninth day of September one thousand seven hundred and fourteen, the
full sum of one hundred and five thousand pounds, by or out of the
monies to arise by the additional or new duties thereby granted, should
be a yearly fund for paying and answering certain principal sums,
amounting in the whole to one million eight hundred seventy-six thou-
sand and four hundred pounds, with interest for the same, after the
rate of four pounds per centum per annum, as is therein men-
tioned; and (in case of any deficiencies) that the said yearly fund
should be made good as was thereby prescribed: and it was thereby
further enacted, That it should and might be lawful, for any person
or persons, natives or foreigners, bodies politick or corporate, to con-
tribute for or towards advancing the said sum of one million four hun-
dred thousand pounds, the sum of ten pounds, or divers entire sums of
ten pounds, upon the said act, for which he, she, or they should be en-
titled to receive by virtue of that act, such principal money and the in-
terest thereof, to be paid as is therein mentioned, by and out of the
said yearly fund; which sums of ten pounds each were thereby ap-
pointed to be paid unto the respective receivers on or before the respec-
tive days and times, and in the respective proportions after men-
tioned;

12 Ann. stat.
2. c. 1. See
6 Geo. 1. c. 4.
Reciting
12 Ann. stat. 2.
c. 9. being
the lottery act,
1714.

tioned; that is to say, one fourth part thereof on or before the tenth day of August in the year of our Lord one thousand seven hundred and fourteen, one other fourth part thereof, on or before the tenth day of September in the year of our Lord one thousand seven hundred and fourteen, one other fourth part thereof, on or before the eleventh day of October one thousand seven hundred and fourteen, and the remaining fourth part thereof, on or before the tenth day of November one thousand seven hundred and fourteen: and that no money should be received from any contributor or adventurer, for the first payment towards this adventure, after the said tenth day of August one thousand seven hundred and fourteen, as by the same act (relation being thereunto had) may more fully appear: and whereas since the making the act last before recited, several contributions have been made thereupon, amounting in the whole to five hundred and seven thousand four hundred and forty pounds, or thereabouts, part whereof hath been actually paid or answered to the said receivers, and the residue of the contributions so made is to be paid or answered within the days or times before appointed in that behalf: and whereas for raising so much as is wanting to complete the full sum of one million four hundred thousand pounds before mentioned, it is found necessary, that the time for receiving the contributions for that purpose be prolonged, and that some further encouragement and security be given to the contributors thereof; now his Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled; do most humbly beseech his Majesty, That it may be enacted, and it is hereby enacted by the authority aforesaid, That yearly and every year, during the said term of thirty-two years, the full sum of one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings (in lieu of the aforesaid yearly fund of one hundred and five thousand pounds) to arise by or out of the monies arising by the said additional or new duties on sops and paper, and upon the said linens, silks, callicoets, and stuffs, and upon starch, and exported coles, and upon stamp vellum, parchment and paper, by the said last recited act granted, and to be brought into the receipt of Exchequer, as aforesaid, in case the same shall extend thereunto, shall be computed and reckoned to be the yearly fund; and in case all the monies arising into the Exchequer for the said rates, duties and sums of money so granted, shall not amount to the sum of one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings *per annum*, then the monies so arising, so far as the same shall extend, shall be part of the same yearly fund, towards the answering and paying off all and every the said principal sums mentioned in the said act, amounting in the whole to one million eight hundred seventy-six thousand four hundred pounds, together with interest for the same, after the respective rates herein after mentioned; that is to say, after the rate of four pounds *per centum per annum* for so much thereof as shall be contained in the fortunate tickets, to be drawn pursuant to that and this present act, or either of them, and after the rate of five pounds *per centum per annum* for so much of the said

116, 573l. 12s.
to be the
yearly fund.
See 2 Geo. 2.
c. 3. Made
perpetual by
6 Geo. 1. c. 4.
s. 1. See
2 Geo. 2. c. 3.

Fortunate
tickets to have
4l. per cent.
per ann blanks
5l. per cent.

said principal sums as shall be contained in the other tickets, (commonly called blank tickets) to be drawn pursuant to the same acts, or either of them, until the satisfaction thereof respectively; yet so as that the interest of such principal sums, as shall be paid off, shall cease from the respective times of paying off the same: and in case the said duties, rates, and sums of money by the said last recited act granted shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year, to be reckoned, as aforesaid, the said monies arising into the Exchequer, for or upon account of the same duties, shall not amount to so much as one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings. That then and so often, and in every such case, so much as shall be wanting to make up the said fund or sum of one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings, for every or any such year, shall be supplied and made good, from time to time, out of any the publick monies which shall come or be brought into the receipt of Exchequer (not having been appropriated to any particular use or uses by any act or acts of parliament made before the said last recited act;) and all the publick unappropriated monies so coming into the said receipt next after the time that any such deficiency shall appear, are hereby appropriated to and for the making good of every such deficiency respectively, until the same shall be fully made good and satisfied; and the lord high treasurer, or commissioners of the treasury for the time being, are hereby strictly enjoined and required, from time to time, to make up such deficiency accordingly out of such publick money, without any further or other warrant or authority for the same; and that such publick money shall not be diverted, misapplied, or issued to any other use, intent or purpose whatsoever, until the said deficiency for every such year respectively, shall be so satisfied, under the like penalties as are prescribed by the said last recited act for diverting or misapplying any other monies thereby appropriated; any thing in the said recited act, or any other act of parliament whatsoever contained to the contrary notwithstanding; and in default of such publick monies for making good any such deficiency or deficiencies, as aforesaid, within six months after the same shall happen, then and so often, and in every such case, it is hereby declared, that so much as shall still be wanting to make up the said fund of one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings for every or any such year, shall be supplied and made good, from time to time, out of the first aid or supply which shall afterwards be granted in parliament, and shall, from time to time be transferred thereunto, when the same shall be granted, without further delay.

Deficiency to be made good out of unappropriated monies,

or out of the first aids granted by parliament.

It shall be lawful for any persons to contribute so much as (together with the contributions already made) will complete the said sum of one million four hundred thousand pounds, by paying sums of ten pounds before the tenth of November one thousand seven hundred and fourteen. Tickets

shall be made forth and drawn, for the monies contributed on this act, and the said recited act, and all things shall be done as prescribed by the said recited act. Tickets to be paid in course, and half-yearly. E X P.

Every box of green starch, 57 inches in length, and 10 in breadth, and 8 in depth, or 4560 solid inches, to be charged at 1311. of starch, 12 Ann. stat. 2. c. 9.

VI. *And whereas in the said last recited act it was enacted and declared, That if the charge on starch be made by gaging the said starch before it be dried in the stove, then and in every such case, every box of green starch, or starch before it be so dried, containing fifty-seven inches in length, and ten inches in breadth, should, from the second day of August one thousand seven hundred and fourscore, be esteemed one hundred thirty-one Averdupois pounds weight of starch dried and perfectly made, and should be charged accordingly, and proportionably for greater or lesser quantities: and whereas the depth of such box of green starch, or starch before it be dried, which should have been eight inches, was, by mistake, omitted to be inserted in the said act, it is hereby declared and enacted, That if the charge on starch be made by gaging the said starch before it be dried in the stove, then and in every such case, every box of green starch, or starch before it be so dried, containing fifty-seven inches in length, and ten inches in breadth, and eight inches in depth, or in the whole four thousand five hundred and sixty solid inches, shall be esteemed one hundred thirty-one Averdupois pounds weight of starch dried and perfectly made, and shall be charged accordingly, and proportionably for greater or lesser quantities.*

All duties of excise and customs, payable to the late Queen after the union, for life, continued to the King during life.

VII. And it is hereby declared and enacted by the authority aforesaid, That for avoiding any doubt or question concerning the grant in this session of parliament to his Majesty of certain duties of excise and customs for his life, for support of his household, and the honour and dignity of the crown, the same doth and shall extend to such duties of excise, and such customs and duties on import and export, as were payable to her said late Majesty after the union of the two kingdoms, for and during her life, and had continuance till the time of her decease; and that the same shall be continued, raised, levied, and paid in the several parts of the united kingdom, during his Majesty's life, in the same manner only as they were payable to her Majesty during her life.

Continuation of several acts.

VIII. *And whereas there are divers laws now in force which will expire at the end of this session of parliament, and probably there may not be sufficient time for a particular examination and due consideration how far any of them may be fit to be further continued; be it therefore enacted by the authority aforesaid, That all laws now in force, and which would expire at the end of this session of parliament, shall be and continue in full force, to all intents and purposes, unto the end of the next session of parliament; any thing contained in any of the said laws to the contrary thereof in any wise notwithstanding.*

CAP. III.

An act to enable persons now residing in *Great Britain*, to take the oaths, and do all other acts in *Great Britain*, requisite to qualify themselves to continue their respective places, offices and employments in *Ireland*.
E X P.

Anno Regni GEORGII Regis Magnæ Britanniae, Franciæ, & Hiberniæ, primo.

AT the parliament begun and holden at Westminster, the seventeenth day of March, Anno Domini one thousand seven hundred and fourteen, in the first year of the reign of our Sovereign Lord GEORGE, by the Grace of God, of Great Britain, France and Ireland, King, defender of the faith, &c. (a) And by several adjournments continued till the twenty-sixth day of June in the second year of his Majesty's reign, being the first session of this present parliament. (a) The following words are added from the enrolment.

CAP. I.

An act for granting an aid to his Majesty, to be raised by a land-tax in *Great-Britain*, for the service of the year one thousand seven hundred and fifteen. 2s. in the pound, E X P.

CAP. II.

An act for charging and continuing the duties on malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifteen; and for making forth duplicates of Exchequer-bills, and lottery-tickets, lost, burnt, or destroyed; and for enlarging the time for adjusting claims in several lotteries; and for making forth new orders in lieu of certain lottery-orders obliterated or defective; and for continuing certain duties on hops, until the first day of August one thousand seven hundred and fifteen.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, have freely and unanimously resolved to give and grant unto your Majesty the rates, duties, and impositions herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted: and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That within and throughout the whole *Malt act* kingdom of *Great Britain*, the several and respective rates, du- 12 Ann. stat. 1. ties, and impositions, for and upon all malt, mum, cyder and c. a. further continued to perry, 24 June 1716.

22 Ann. stat. 2.
C. 3.

Duties to be
raised as by
the former
acts.

perry, which in and by one act of parliament made and passed in the twelfth year of the reign of her late majesty Queen Anne, of blessed memory, intituled, *An act for granting to her Majesty duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and thirteen; and for making forth duplicates of lottery tickets, lost, burnt, or destroyed; and for enlarging the time for adjusting claims in several lottery acts; and to punish the counterfeiting or forging of lottery orders; and for explaining a late act in relation to stamp-duties on customary estates which pass by deed and copy*, were granted to her Majesty, or chargeable in manner therein mentioned, until the twenty-fourth day of June one thousand seven hundred and fourteen, and which by another act of parliament made and passed in the twelfth year of the reign of her said late Majesty, intituled, *An act for charging and continuing the duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fourteen; and for the encouragement of the distilling brandy from malted corn and cyder; and for making forth duplicates of Exchequer bills, and lottery tickets, lost, burnt, or destroyed; and to enable the governor and company of the bank of England, and others, to lend money upon South-Sea stock*, were continued until the twenty-fourth day of June in the year of our Lord one thousand seven hundred and fifteen, shall be further continued in like manner, and shall be, and are by this act charged, for and upon all malt which shall be made, and all mum which shall be made, or imported, and all cyder and perry, which shall be made for sale within the kingdom of Great Britain, from and after the three and twentieth day of June in the year of our Lord one thousand seven hundred and fifteen, and before the four and twentieth day of June which shall be in the year of our Lord one thousand seven hundred and sixteen; and shall be raised, levied, collected and paid unto his Majesty, his heirs and successors, during the term aforesaid, by the same ways, means and methods, and by such rules and directions, and with such allowances and repayments, and under such penalties and forfeitures, and with such power of mitigation, and other powers, and in such manner and form, in all respects, as are prescribed, mentioned and expressed in the said former acts, or in any other act or acts of parliament thereby referred unto, or any of them, for or concerning the said duties, or any of them; and that the same acts formerly made and passed, and the said other acts thereby referred unto, as to, for and concerning the said duties upon malt, mum, cyder and perry, and every article, rule, clause, matter and thing, in them, and every or any of them contained, or thereby referred to, and now being in force, shall be of full force and effect, to all intents and purposes, for raising, levying, collecting, securing and accounting for the same rates, duties and impositions hereby granted or continued, and for levying and recovering the penalties and forfeitures, and making any mitigations or allowances, and all other matters and things, during the continuance of

of this act, as fully, as if the same were particularly and at large repeated in the body of this present act.

This act to relate to the same day and time as the former act. A register to be kept, for transferring the principal sums, &c. due on the malt act 1713, to the register of this act. Clause of loan at 4l. per cent. Money lent not to be taxed. Orders for payment assignable.

VIII. *And whereas by the aforesaid acts it is enacted, That every malster, or other maker of malt, shall, within three months after he shall make or ought to have made such entry of the said malt, as therein is directed, pay and clear off all the duties which shall be due from him or them respectively; it is hereby further enacted, That the time limited by the aforesaid act for the payment of the said duty, be prolonged for one month after the said three months from the time of such entry.*

Duty to be paid within four months after entry.

Clause for making forth duplicates of Exchequer bills and lottery tickets, lost, burnt or destroyed. Clause for enlarging the time for adjusting claims in several lotteries. Clause for making forth new orders in lieu of obliterated or defective orders in the classis lottery 1711.

XIII. *And whereas it has lately been discovered, that great quantities of unmalted corn or grain have fraudulently been mixed with and amongst malt, which hath or ought to have been charged with the duties by several acts of parliament set and imposed upon all malt made in Great-Britain, and that such mixture hath afterwards been either sold in the kingdom of Great Britain, or hath been shipped off for exportation, and the person or persons by whom, or for or upon whose account the same hath been so shipped off, hath or have thereupon claimed and had the drawback and bounty in proportion to the whole quantity of such mixture so shipped off, as if the same had totally and intirely consisted of malt, for which the duty had been duly paid or charged, whereas in truth great part thereof hath at such time and times consisted either of unmalted corn, or grain for which the duty on malt had never been paid or duly charged, whereby her late majesty Queen Anne, and his present Majesty hath been very much defrauded in the duty granted upon malt, and the persons who have bought such mixture, have by the means aforesaid, been very much deceived and imposed upon; for remedy whereof, be it enacted by the authority aforesaid, That if any malster or maker of malt for sale or exportation, or other seller of or dealer in malt for sale or exportation, at any time after the twenty-fourth day of June one thousand seven hundred and fifteen, shall or do, with malt made of any sort of corn or grain whatsoever, fraudulently mix or cause to be mixed any unmalted corn or grain, or shall sell, or offer to sell, or expose to sale any such mixture, or shall ship off, or put on board, or cause to be shipped off, or to be put on board, or shall offer or attempt to ship off or put on board any ship, hoy, barge, boat, or other navigable vessel, any such mixture, in order to export the same, every such malster or maker of malt, or other seller of or dealer in malt, for every bushel of such mixture so sold or offered to be sold, or exposed to sale, or*

Unmalted grain mixed with malt, forfeits 5s. a bushel.

50

so shipped off or put on board, or offered, or attempted to be shipped off, or put on board any ship, hoy, barge, boat or other navigable vessel, in order to the exportation thereof, shall forfeit and lose the sum of five shillings.

Malster obstructing officer, forfeits 20l.

XIV. And be it further enacted by the authority aforesaid, That if any malster or maker of malt for sale, shall, after the said twenty-fourth day of *June* one thousand seven hundred and fifteen, prevent, obstruct or hinder any officer or officers of excise, in the due execution of any of the powers or authorities given to him or them by this act, or by the said recited act or acts, or any or either of them, for the ascertaining and securing the said duties, hereby or by the said recited act or acts, or any or either of them, granted, the person or persons offending therein shall, for every such offence, forfeit and lose the sum of ten pounds.

Fines, &c. how to be levied.

XV. And be it further enacted by the authority aforesaid, That all fines, penalties and forfeitures by this act imposed, shall be sued for, levied and recovered, or mitigated by such ways, means and methods, as any fine, penalty or forfeiture, is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session, court of justiciary, or court of Exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty and forfeiture shall be to his Majesty, or his heirs and successors, and the other moiety to him that shall discover, inform or sue for the same.

General issue.

XVI. Provided also, and it is hereby further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any matter or thing in this act contained; or if any person or persons now is, or hereafter shall be sued or prosecuted for any matter or thing by him or them done in pursuance of any former act or acts for granting duties upon malt, mum, cyder and perry; such person or persons shall or may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have full costs to him or them awarded against such plaintiff or plaintiffs.

Duties on hops granted by 9 Ann. c. 18. continued till 1 Aug. 1715. Made perpetual by 1 Geo. 1. stat. 2. c. 18. sect. 5.

XVII. And whereas by an act of the ninth year of the reign of her late majesty Queen Anne, intituled, An act for laying a duty upon hops, a duty of three pence for every pound weight Averdupois is laid upon all hops, which at any time or times within or during the term of four years, to be reckoned from the first day of June one thousand seven hundred and eleven, shall be imported or brought into the kingdom of Great Britain, (over and above all other customs, subsidies, and duties imposed upon or payable for the same) and for and upon all hops growing or to grow in Great Britain, which at any time or times within or during the said term of four years, shall be

cured

cured and made fit for use, the sum of one penny for every pound weight Averdupoiz, and after that rate for a greater or lesser quantity, which act is thought convenient to be further continued: be it therefore enacted by the authority aforesaid, That the said act, and every clause, article, matter, and thing therein contained, shall continue and be of force from the thirty-first day of May in the year of our Lord one thousand seven hundred and fifteen, until the first day of August in the year of our Lord one thousand seven hundred and fifteen, as fully and effectually, to all intents and purposes, as if the same were herein particularly and at large repeated and re-enacted.

C A P. III.

An act for the better regulating the forces to be continued in his Majesty's service, and for the payment of the said forces, and of their quarters. E X P.

C A P. IV.

An act to explain the act made in the twelfth year of the reign of King William the Third, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject. 12 & 13 W. 3. c. 2.

I. **W**HEREAS by an act of parliament made in the twelfth year of the reign of our late sovereign lord King William the Third, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject, it is amongst other things enacted, That from and after the time that the further limitation of the crown by that act should take effect, no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereunto belonging, although he be naturalized or made a denizen, except such as are born of English parents, should be capable to be of the privy council, or a member of either house of parliament, or to enjoy any office or place of trust, either civil or military, or to have any grant of lands, tenements, or hereditaments from the crown, to himself or to any others in trust for him: and whereas some doubts have arisen concerning the construction of the said law; be it declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in parliament assembled, and by the authority of the same, (That it was not the intent and meaning of the said act, that the said clause or any thing therein contained, should extend, nor shall the said clause be construed, adjudged, or taken to extend to disable or incapacitate any person, who at or before his Majesty's accession to the crown was naturalized, to be of the privy council, or a member of either house of parliament, or to take or enjoy any office or place of trust, either civil or military, or to take or have any grant of lands, tenements, or hereditaments from the crown, to himself, or any other in trust for him.

No person naturalized before his Majesty's accession to the crown incapacitated to be a privy councillor, or a member of parliament, or to have any office of trust, grant of lands, &c.

II. *And for the better preserving the said recited clause in the said act of the twelfth year of the late King William the Third, entire* No person shall hereafter be natura-
and

lized, unless
in the bill
there be such a
disabling
clause inserted.

Nor shall any
bill be received
in either house
of parliament
without such
clause.

and inviolable; be it further enacted by the authority aforesaid,
That no person shall hereafter be naturalized, unless in the bill
exhibited for that purpose there be a clause or particular words
inserted to declare, that such person shall not thereby be enabled
to be of the privy council, or a member of either house of parli-
ament, or to take any office or place of trust, either civil or mi-
litary, or to have any grant of lands, tenements, or heredita-
ments from the crown, to himself, or any other person in trust
for him; and that no bill of naturalization shall hereafter be re-
ceived in either house of parliament, unless such clause or words
be first inserted or contained therein.

CAP. V.

*An act for preventing tumults and riotous assemblies, and for
the more speedy and effectual punishing the rioters.*

23 H. 4. c. 7.
2 H. 5. c. 8.
Stat. 2. c. 9.
3 H. 6. c. 14.
9 H. 7. c. 13.
1 Hale's Hist. Pl.
Cr. 292. 494.
2 Hale's Hist.
Pl. Cr. 197.

I. **W**HEREAS of late many rebellious riots and tumults have
been in divers parts of this kingdom, to the disturbance of
the publick peace, and the endangering of his Majesty's person and go-
vernment, and the same are yet continued and fomented by persons dis-
affected to his Majesty, presuming so to do, for that the punishments
provided by the laws now in being are not adequate to such heinous of-
fences; and by such rioters his Majesty and his administration have
been most maliciously and falsely traduced, with an intent to raise divi-
sions, and to alienate the affections of the people from his Majesty:
therefore for the preventing and suppressing of such riots and tumults,
and for the more speedy and effectual punishing the offenders therein;
be it enacted by the King's most excellent majesty, by and with
the advice and consent of the lords spiritual and temporal and of
the commons, in this present parliament assembled, and by the
authority of the same, That if any persons to the number of
twelve or more, being unlawfully, riotously, and tumultuously
assembled together, to the disturbance of the publick peace, at
any time after the last day of July in the year of our Lord one
thousand seven hundred and fifteen, and being required or com-
manded by any one or more justice or justices of the peace, or
by the sheriff of the county, or his under-sheriff, or by the
mayor, bailiff or bailiffs, or other head-officer, or justice of the
peace of any city or town corporate, where such assembly shall
be, by proclamation to be made in the King's name, in the
form herein after directed, to disperse themselves, and peace-
ably to depart to their habitations, or to their lawful business,
shall, to the number of twelve or more (notwithstanding such
proclamation made) unlawfully, riotously, and tumultuously
remain or continue together by the space of one hour after such
command or request made by proclamation, that then such con-
tinuing together to the number of twelve or more, after such
command or request made by proclamation, shall be adjudged
felony without benefit of clergy, and the offenders therein shall
be adjudged felons, and shall suffer death as in case of felony
without benefit of clergy.

Twelve per-
sons or more,
unlawfully as-
sembled, after
the last of
July 1715. and
not dispersing
after com-
manded by
one justice,
&c. by procla-
mation,

shall be ad-
judged felons
without bene-
fit of clergy.

II. And

II. And be it further enacted by the authority aforesaid, That the order and form of the proclamation that shall be made by the authority of this act, shall be as hereafter followeth (that is to say) the justice of the peace, or other person authorized by this act to make the said proclamation shall, among the said rioters, or as near to them as he can safely come, with a loud voice command, or cause to be commanded silence to be, while proclamation is making, and after that, shall openly and with loud voice make or cause to be made proclamation in these words, or like in effect:

OUR sovereign Lord the King chargeth and commandeth all persons, being assembled, immediately to disperse themselves, and peaceably to depart to their habitations, or to their lawful business, upon the pains contained in the act made in the first year of King George, for preventing tumults and riotous assemblies.

God save the King.

And every such justice and justices of the peace, sheriff, under-sheriff, mayor, bailiff, and other head-officer aforesaid, within the limits of their respective jurisdictions, are hereby authorized, impowered and required, on notice or knowledge of any such unlawful, riotous and tumultuous assembly, to resort to the place where such unlawful, riotous, and tumultuous assemblies shall be, of persons to the number of twelve or more, and there to make or cause to be made proclamation in manner aforesaid.

III. And be it further enacted by the authority aforesaid, That if such persons so unlawfully, riotously, and tumultuously assembled, or twelve or more of them, after proclamation made in manner aforesaid, shall continue together and not disperse themselves within one hour, That then it shall and may be lawful to and for every justice of the peace, sheriff, or under-sheriff of the county where such assembly shall be, and also to and for every high or petty constable, and other peace-officer within such county, and also to and for every mayor, justice of the peace, sheriff, bailiff, and other head-officer, high or petty constable, and other peace-officer of any city or town corporate where such assembly shall be, and to and for such other person and persons as shall be commanded to be assisting unto any such justice of the peace, sheriff or under-sheriff, mayor, bailiff, or other head-officer aforesaid (who are hereby authorized and impowered to command all his Majesty's subjects of age and ability to be assisting to them therein) to seize and apprehend, and they are hereby required to seize and apprehend such persons so unlawfully, riotously and tumultuously continuing together after proclamation made, as aforesaid, and forthwith to carry the persons so apprehended before one or more of his Majesty's justices of the peace of the county or place where such persons shall be so apprehended, in order to their being proceeded against for such their offences according to law; and that if the persons

How the proclamation shall be made.

The proclamation.

Justices, &c. the place.

Persons so assembled and not dispersing within an hour, to be seized.

And if they make resistance, the persons killing them, &c. to be indemnified.

persons so unlawfully, riotously and tumultuously assembled; or any of them, shall happen to be killed, maimed or hurt, in the dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, by reason of their resisting the persons so dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, that then every such justice of the peace, sheriff, under-sheriff, mayor, bailiff, head-officer, high or petty constable, or other peace-officer, and all and singular persons, being aiding and assisting to them, or any of them, shall be free, discharged and indemnified, as well against the King's Majesty, his heirs and successors, as against all and every other person and persons, of, for, or concerning the killing, maiming, or hurting of any such person or persons so unlawfully, riotously and tumultuously assembled, that shall happen to be so killed, maimed or hurt, as aforesaid.

Pulling down, &c. any church, &c. Felony without benefit of clergy.

IV. And be it further enacted by the authority aforesaid, That if any persons unlawfully, riotously and tumultuously assembled together, to the disturbance of the publick peace, shall unlawfully, and with force demolish or pull down, or begin to demolish or pull down any church or chapel, or any building for religious worship certified and registred according to the statute made in the first year of the reign of the late King *William* and Queen *Mary*, intituled, *An act for exempting their Majesty's protestant subjects dissenting from the church of England from the penalties of certain laws*, or any dwelling-house, barn, stable, or other outhouse, that then every such demolishing, or pulling down, or beginning to demolish, or pull down, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death as in case of felony, without benefit of clergy.

1 W. & M. sess. 1. c. 18.

Opposing, &c. the making such proclamation, felony without benefit of clergy.

V. Provided always, and be it further enacted by the authority aforesaid, That if any person or persons do, or shall, with force and arms, wilfully and knowingly oppose, obstruct, or in any manner wilfully and knowingly lett, hinder, or hurt any person or persons that shall begin to proclaim, or go to proclaim according to the proclamation hereby directed to be made, whereby such proclamation shall not be made, that then every such opposing, obstructing, letting, hindering or hurting such person or persons, so beginning or going to make such proclamation, as aforesaid, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death as in case of felony, without benefit of clergy; and that also every such person or persons so being unlawfully, riotously and tumultuously assembled, to the number of twelve, as aforesaid, or more, to whom proclamation should or ought to have been made if the same had not been hindred, as aforesaid, shall likewise, in case they or any of them, to the number of twelve or more, shall continue together, and not disperse themselves within one hour after such lett or hindrance so made, having knowledge of such lett or hindrance so made, shall be adjudged

And persons so assembled, if the proclamation be hindred, shall nevertheless suffer as felons.

judged felons, and shall suffer death as in case of felony, without benefit of clergy.

VI. And be it further enacted by the authority aforesaid, That if after the said last day of *July* one thousand seven hundred and fifteen, any such church or chapel, or any such building for religious worship, or any such dwelling-house, barn, stable, or other out-house, shall be demolished or pulled down wholly, or in part, by any persons so unlawfully, riotously and tumultuously assembled, that then, in case such church, chapel, building for religious worship, dwelling-house, barn, stable or out-house, shall be out of any city or town, that is either a county of itself, or is not within any hundred, that then the inhabitants of the hundred in which such damage shall be done, shall be liable to yield damages to the person or persons injured and damaged by such demolishing or pulling down wholly or in part; and such damages shall and may be recovered by action to be brought in any of his Majesty's courts of record at *Westminster*, (wherein no essoin, protection or wager of law, or any imparlance shall be allowed) by the person or persons damaged thereby, against any two or more of the inhabitants of such hundred, such action for damages to any church or chapel to be brought in the name of the rector, vicar or curate of such church or chapel that shall be so damaged, in trust for applying the damages to be recovered in rebuilding or repairing such church or chapel; and that judgment being given for the plaintiff or plaintiffs in such action, the damages so to be recovered shall, at the request of such plaintiff or plaintiffs, his or their executors or administrators, be raised and levied on the inhabitants of such hundred, and paid to such plaintiff or plaintiffs, in such manner and form, and by such ways and means, as are provided by the statute made in the seven and twentieth year of the reign of Queen *Elizabeth*, for reimbursing the person or persons on whom any money recovered against any hundred by any party robbed, shall be levied: and in case any such church, chapel, building for religious worship, dwelling-house, barn, stable or out-house so damaged, shall be in any city or town that is either a county of itself, or is not within any hundred, that then such damages shall and may be recovered by action to be brought in manner aforesaid (wherein no essoin, protection or wager of law, or any imparlance shall be allowed) against two or more inhabitants of such city or town; and judgment being given for the plaintiff or plaintiffs in such action, the damages so to be recovered shall, at the request of such plaintiff or plaintiffs, his or their executors or administrators, made to the justices of the peace of such city or town at any quarter-sessions to be holden for the said city or town, be raised and levied on the inhabitants of such city or town, and paid to such plaintiff or plaintiffs, in such manner and form, and by such ways and means, as are provided by the said statute made in the seven and twentieth year of the reign of Queen *Elizabeth*, for reimbursing the person or persons on whom

How the damages shall be made good, if any church, &c. be demolished, &c.

27 Eliz. c. 23.

any money recovered against any hundred by any party robbed, shall be levied.

This act to be read at the quarter-sessions, &c.

VII. And be it further enacted by the authority aforesaid, That this act shall be openly read at every quarter-session, and at every leet or law-day.

Prosecution within twelve months.

VIII. Provided always, That no person or persons shall be prosecuted by virtue of this act, for any offence or offences committed contrary to the same, unless such prosecution be commenced within twelve months after the offence committed.

Sheriffs, &c. in Scotland to have the same power as justices, &c. have in England.

IX. And be it further enacted by the authority aforesaid, That the sheriffs and their deputies, stewards and their deputies, bailies of regalities and their deputies, magistrates of royal boroughs, and all other inferior judges and magistrates, and also all high and petty constables, or other peace-officers of any county, stewartry, city or town, within that part of *Great Britain* called *Scotland*, shall have the same powers and authority for putting this present act in execution within *Scotland*, as the justices of the peace and other magistrates aforesaid, respectively have by virtue of this act, within and for the other

Punishment of persons offending in Scotland.

parts of this kingdom; and that all and every person and persons who shall at any time be convicted of any the offences aforesaid, within that part of *Great Britain* called *Scotland*, shall for every such offence incur and suffer the pain of death, and confiscation of moveables: and also that all prosecutions for repairing the damages of any church or chapel, or any building for religious worship, or any dwelling-house, barn, stable or out-house, which shall be demolished or pulled down in whole or in part, within *Scotland*, by any persons unlawfully, riotously or tumultuously assembled, shall and may be recovered by summary action, at the instance of the party aggrieved, his or her heirs or executors, against the county, stewartry, city or borough respectively, where such disorders shall happen, the magistrates being summoned in the ordinary form, and the several counties and stewartries called by edictal citation at the market-cross of the head borough of such county or stewartry respectively, and that in general, without mentioning their names and designations.

Damages of any church, &c. pulled down, &c. in Scotland, how to be recovered, and of whom.

X. Provided, and it is hereby declared, That this act shall extend to all places for religious worship, in that part of *Great Britain* called *Scotland*, which are tolerated by law, and where his majesty King *George*, the prince and princess of *Wales*, and their issue, are prayed for in express words.

To what places in Scotland this act shall extend.

CAP. VI.

An act for making perpetual an act of the seventh and eighth years of the reign of his late majesty King William the Third, intituled, An act that the solemn affirmation and declaration of the people called Quakers, shall be accepted instead of an oath in the usual form, and for explaining and enforcing the said act in relation to the payment of tithes and church rates; and for appointing the form of an affirmation to be taken by the said people called Quakers, instead of the oath of abjuration.

WHEREAS an act made in the seventh and eighth years of his late Majesty's reign, intituled, An act that the solemn affirmation and declaration of the people called Quakers, shall be accepted instead of an oath in the usual form, ^{7 & 8 W. 3. c. 34.} was made so continue for seven years, and from thence to the end of the next session of parliament, which act would have expired at the end of the next session of parliament after the two and twentieth day of November in the year of our Lord one thousand seven hundred and two; which session began the ninth day of November in the year of our Lord one thousand seven hundred and three, and ended the third day of April in the year of our Lord one thousand seven hundred and four; but by another act of parliament made in the thirteenth year of his said late Majesty's reign, intituled, An act for continuing an act, intituled, An act that the solemn affirmation and declaration of the people called ^{13 & 14 W. 3. c. 4.} Quakers, shall be accepted instead of an oath in the usual form; was continued for the term of eleven years after the determination of the said act, and from thence to the end of the next session of parliament: and whereas the said several acts will expire at the end of the next session of parliament after the third day of April one thousand seven hundred and fifteen: now for the further avoiding of the inconveniencies in the said first recited act mentioned, to the people called Quakers, and their families, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That the said first recited act, and all the clauses and powers therein contained, shall continue and be in force for ever, as to all oaths by law required, or hereafter to be required, other than and except as in the said first recited act is excepted. ^{The act 7 & 8 W. 3. made perpetual.}

II. And whereas by the said act made in the seventh year of the reign of King William the Third, a remedy is provided for the recovery of tithes and church-rates, where any Quaker should refuse to pay the same: be it enacted by the authority aforesaid, That such remedy shall be and is hereby extended, and the like remedy shall and may be had and used against any quaker or quakers for the recovering of any tithes or rates, or any customary or other rights, dues or payments belonging to any church or chapel, which of right by law and custom ought to be paid for the stipend or maintenance of any minister or curate officiating in any church ^{Clause for the recovery of tithes, &c. from Quakers, 7 & 8 W. 3. c. 34.}

or chapel; and any two or more justices of the peace of the same county or place, other than such justice of the peace as is patron of any such church or chapel, or any ways interested in the said tithes, upon complaint of any parson, vicar, curate, farmer or proprietor of such tithes, or any church-warden or chapel-warden, or other person who ought to have, receive or collect any such tithes, rates, dues or payments, as aforesaid, are hereby authorized and required to summon in writing, under their hands and seals, by reasonable warning, such quaker or quakers, against whom such complaint shall be made, and after his or their appearance, or upon default of appearance, the said warning or summons being proved before them upon oath, to proceed to hear and determine the said complaint, and to make such order therein, as in the said act is limited or directed; and also to order such costs and charges, as they shall think reasonable, not exceeding ten shillings, as upon the merits of the cause shall appear just; which order shall and may be so executed, and on such appeal may be reversed or affirmed by the general quarter-sessions of the county or place, with such costs and remedy for the same, and shall not be removed into any other court, unless the titles of such tithes, dues or payments, shall be in question, in like manner as in and by the same act is limited and provided.

Concerning
the solemn af-
firmation to be
taken by qua-
kers instead of
the abjuration
oath.

6 Annæ, c. 23.

III. *And whereas several disputes have arisen concerning the effect of the abjuration to be taken by the people called Quakers, upon their solemn affirmation, as directed by an act of parliament made in the sixth year of her late Majesty's reign: now for preventing the like inconveniencies for the future, be it enacted by the authority aforesaid, That in all cases where-ever the effect of the said abjuration oath may be legally tendred, or required of the said people called Quakers, or any of them, he or they shall take the effect thereof in the following words (that is to say,)*

The affirma-
tion.

I A. B. do truly and sincerely acknowledge, profess, testify and declare, in the presence of Almighty God, the witness of the truth of what I say, That King George is lawful and rightful King of this realm, and of all other his dominions and countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe the person pretended to be the prince of Wales, during the life of the late King James, and since his decease, pretending to be, and taking upon himself the stile and title of the King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm, nor any other the dominions thereunto belonging; and I do renounce and refuse any allegiance or obedience to him. And I do solemnly promise, That I will be true and faithful, and bear true allegiance to King George, and to him will be faithful against all traiterous conspiracies and attempts whatsoever, which shall be made against his person, crown or dignity. And I will do my best endeavour to disclose and make known to King George, and his successors, all treasons and traiterous conspiracies which I shall know

to be made against him, or any of them. And I will be true and faithful to the succession of the crown against him the said James, and all other persons whatsoever, as the same is and stands settled by an act, intituled, An act declaring the rights and liberties of the subject, and settling the succession of the crown, to the late Queen Anne, and the heirs of her body, being protestants; and as the same, by one other act, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject, is and stands settled and intailed, after the decease of the said late Queen, and for default of issue of the said late Queen, to the late princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants. And all these things I do plainly and sincerely acknowledge, promise and declare, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion or secret reservation whatsoever. And I do make this recognition, acknowledgment, renunciation and promise heartily, willingly and truly.

IV. Provided always, That so much of this act as relates to the affirmations to be made by the people called Quakers, shall be extended to that part of Great Britain called Scotland for ever, and to the plantations belonging to the crown of Great Britain for five years, and to the end of the next session of parliament after the said five years, and no longer.

This act, as to the affirmation, to extend to Scotland for ever, and to the plantations for five years, and thence to the end of the next session of parliament.

CAP. VII.

An act for continuing the imprisonment of Robert Blackburn and others, for the horrid conspiracy to assassinate the person of his late sacred Majesty King William the Third.

WHEREAS by an act of parliament made in the first year of the reign of her late Majesty Queen Anne, intituled, An act for the continuing the imprisonment of Counter, and others, for the horrid conspiracy to assassinate the person of his late sacred majesty King William the Third, the persons hereafter named (that is to say) Robert Blackburn, John Bernardi, Robert Cassels, Robert Meldrum and James Chambers, then prisoners in Newgate for a detestable traiterous conspiracy to assassinate the royal person of his said late Majesty, were to be detained and kept in custody, without bail or mainprize, during her said late Majesty's pleasure, and will now be set at large, unless some further provision be made for the continuance of their imprisonment for the said offence: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in parliament assembled, and by the authority of the same, That the said Robert Blackburn, John Bernardi, Robert Cassels, Robert Meldrum and James Chambers, shall be detained and kept in custody, without bail or mainprize, during his Majesty's pleasure.

Robert Blackburn, &c. to be kept in prison during his Majesty's pleasure.

CAP. VIII.

An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.

EXP.

CAP. IX.

An act for the better preventing mutiny and desertion, by enforcing and making more effectual an act of this present parliament, intituled, An act for the better regulating the forces to be continued in his Majesty's service, and for the payment of the said forces and their quarters.

1 Geo. 1. Stat. 2. c. 3. Every person in his Majesty's service in the army, who, after August 1, 1715, and before March 25, 1716, shall mutiny or desert, shall suffer death; or such punishment as a court martial shall inflict. The King may grant commissions to assemble courts martial. Such courts to consist of 13 commission officers. The president to be a field officer, &c. Field officers not to be tried by any under captains. Such court may administer oaths. Officers or soldiers not exempted from process of law. Not to extend to the militia. Every officer present in a court martial, where any offence may be punished with death, shall be sworn. Nine officers to concur in every sentence of death. Proceedings between eight in the morning and one in the afternoon. Acquittal or conviction shall be a bar to an indictment. Persons prosecuted, &c. may plead the general issue, &c. The King may make articles for the better government of his forces. No soldier to be discharged by virtue of 1 Geo. 1. c. 3. without giving three months notice to his colonel. The King may quarter his forces in such places subject to the quartering of soldiers, as he shall think fit, during the continuance of this act. E X P.

CAP. X.

An act for making more effectual her late Majesty's gracious intentions for augmenting the maintenance of the poor clergy.

WHEREAS it is necessary for the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, in order to the more regular making proper augmentations, to be informed, as exactly as may be, of the clear improved yearly value of the maintenance of all such parsons, vicars, curates and ministers, officiating in any church or chapel within that part of Great Britain called England, the dominion of Wales, or town of Berwick upon Tweed, where the liturgy and rites of the church of England, as now by law established, are or shall be used and observed, whose maintenance is intended to be augmented: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the respective bishops of every diocese, and the guardians of the spiritualities *sede vacante*, shall be and are hereby impowered and required, from time to time, as they shall see occasion, and as may best serve the purposes of the said bounty to the poor clergy, as well by the oath of two or more credible witnesses (which they, or others commissioned by them under their hands and seals, are hereby impowered to administer) as by all other lawful ways and means, to inform themselves of the clear improved yearly value of every benefice with cure of souls, living and curacy, and of the true and clear improved yearly value of the maintenance of every parson, vicar, curate and minister, officiating in any such churches or chapels, as aforesaid, within their several dioceses, or within any peculiars or places of exempt

The bishops shall inform themselves of the yearly value of every benefice, &c.

jurisdiction within the bounds and limits of their respective dioceses, or adjoining and contiguous thereunto, although the same be exempt from the jurisdiction of any bishop in other cases, and how such yearly values arise, with the other circumstances thereof, and the same, or such of them whereof they shall have fully informed themselves, from time to time, with all convenient speed; to certify under their respective hands and seals, or seals of their respective offices, to the said governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, for their better information in the premises.

and certify the same to the governors.

II. Provided always, and be it enacted by the authority aforesaid, That where by certificates duly returned into her Majesty's court of Exchequer at Westminster, pursuant to an act made in the parliament held in the fifth year of the reign of her said late Majesty, intituled, *An act for discharging small livings from their first-fruits and tenths, and all arrears thereof*, and one other act made in the sixth year of the reign of her said late Majesty, intituled, *An act to enlarge the time for returning the certificates of all ecclesiastical livings, not exceeding the yearly value of fifty pounds: as also for discharging all livings of that value from the payment of first-fruits; and for allowing time to archbishops and bishops, and other dignitaries for payment of their first-fruits*, or either of them, or made good by this act, the yearly value of any livings, not exceeding the clear yearly value of fifty pounds, are particularly and duly expressed and specified, such certificates shall ascertain the yearly values of such livings, in order to their being augmented by the said governors, and no new or different valuation thereof shall be returned to the said governors by virtue of this present act.

Certificates returned into the Exchequer by virtue of 5 Annæ, c. 24. and 6 Annæ, c. 27. shall ascertain the value of livings not exceeding 50 l. per ann.

III. And whereas by her late Majesty's letters patent under her great seal, bearing date the third day of November in the third year of her reign, incorporating the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, the said governors were authorized to consider, consult, advise, agree upon, draw up, prepare and propose in writing to her said Majesty, her heirs and successors, such proper and necessary rules, methods, directions, orders and constitutions, as the said governors, or any seven or more of them, with such quorum as is therein directed, should, in their discretions judge most convenient to be observed, for and towards the better rule and government of the said corporation, and the members thereof, and the receiving, accounting for, and managing all and every the revenues thereby granted or mentioned to be granted, and all arrears thereof, and also for and concerning the distributing, paying and disposing of the same, and all other gifts and benevolences that should or might be given or bequeathed to the said corporation for the charitable uses in the said letters patent mentioned, for the augmentation of the maintenance of the poor clergy aforesaid; and such rules, methods, orders, directions and constitutions, as should be so proposed, and should be approved, altered or amended by her said late Majesty, her heirs or successors, and such as should be made by her said Majesty, her heirs or successors, and so signified and declared by her, her heirs or successors,

All rules, methods, &c. agreed on by the governors, and proposed to his Majesty, and approved under his sign manual, shall be valid.

cessors, under her or their great seal, her said late Majesty thereby willed should be the rules, methods, directions, orders and constitutions, by which the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy and their successors, should receive, manage, govern, apply and dispose her said late Majesty's royal bounty, and other gifts and benevolences which should or might after that time be given or bequeathed to the said corporation (where the donors thereof should not particularly direct the application thereof) to and for the increase of the maintenance of such parsons, vicars, curates and ministers officiating in any church or chapel within the kingdom of England, dominion of Wales or town of Berwick upon Tweed, where the liturgy and rites of the church of England, as then by law established were and should be used and observed, for whom maintenance was not then sufficiently provided: and whereas pursuant to the said letters patent of incorporation, the said governors did agree upon, prepare, and propose to her said late Majesty, certain rules and constitutions for the better rule and government of the said corporation, and her said late Majesty, by letters patent under her great seal, bearing date the fifth day of March in the twelfth year of her reign, did establish the said rules and constitutions, reserving to herself, her heirs and successors, power, from time to time, under her or their great seal, to alter the same, and to give and make in like manner such other rules and constitutions, according to the true intention of the said letters patent of incorporation, as to her said Majesty, her heirs or successors should seem meet: and whereas a more expeditious and easy method of making and altering the rules and constitutions, for the better rule and government of the said corporation, may tend to the advancement of the said charity; be it enacted and declared by the authority aforesaid, That all such rules, methods, orders, directions and constitutions, as shall, from time to time, be by the said governors agreed upon, prepared and proposed to his Majesty, his heirs and successors, according to the true intention of the said letters patent of incorporation, and by his Majesty, his heirs and successors, approved under his or their sign manual, shall be as good, valid and effectual rules, methods, directions, orders and constitutions, for the purposes aforesaid, as if the same were made or established under the great seal of his Majesty, his heirs or successors.

IV. And whereas her said late Majesty's royal bounty to the poor clergy was intended to extend, not only to parsons and vicars who come in by presentation, or collation, institution, and induction, but likewise to such ministers who come in by donation, or are only stipendiary preachers or curates, officiating in any church or chapel where the liturgy and rites of the church of England, is now by law established, are and shall be used and observed, most of which are not corporations, nor have a legal succession, and therefore are incapable of taking a grant or conveyance of such perpetual augmentation as is agreeable to her said late Majesty's gracious intentions, and in many places it would be in the power of the improPRIATOR, donor, parson, or vicar, to withdraw the allowance now or heretofore paid to the curate or minister serving the cure, or in case of a chapelry, the incumbent of the mother-church

church might refuse to employ a curate, or permit a minister duly nominated or licensed to officiate in such augmented chapel, and might officiate there himself, and take the benefit of the augmentation, though his living be above the value of those which are intended to be first augmented; and the maintenance of the curate or minister would thus be sunk instead of being augmented: be it therefore enacted by the

majority aforesaid, That all such churches, curacies, or chapels, which shall at any time hereafter be augmented by the governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, shall be, and are hereby declared and established to be, from the time of such augmentations, perpetual cures and benefices, and the ministers duly nominated and licensed thereunto, and their successors respectively, shall be, and be esteemed in law, bodies politick and corporate, and shall have perpetual succession by such name and names as in the grant of such augmentation shall be mentioned, and shall have a legal capacity, and are hereby enabled to take, in perpetuity, to them and their successors, all such lands, tenements, tithes, and hereditaments, as shall be granted unto or purchased for them respectively by the said governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, or other persons contributing with the said governors as benefactors; any law or statute to the contrary notwithstanding: and that the impropiators or patrons of any augmented churches or donatives, for the time being, and their heirs, and the rectors and vicars of the mother-churches whereto any such augmented curacy or chapel doth appertain, and their successors, shall be and are hereby utterly excluded from having or receiving, directly or indirectly, any profit or benefit by such augmentation; and shall from time to time, and at all times, from and after such augmentation, pay and allow to the ministers officiating in any such augmented church and chapel respectively, such annual and other pensions, salaries, and allowances, which by antient custom, or otherwise, of right, and not of bounty, ought to be by them respectively paid and allowed, and which they might, by due course of law, before the making of this act, have been compelled to pay or allow to the respective ministers officiating there, and such other yearly sum or allowance as shall be agreed upon (if any shall be) between the said governors and such patron or impropiator, upon making the augmentation, and the same are and shall be hereby perfectly vested in the ministers officiating in such augmented church or chapel respectively, and their respective successors.

V. Provided always, That no such rector or vicar of such mother-church, or any other ecclesiastical person or persons, having cure of souls, within the parish or place where such augmented church or chapel shall be situate, or his or their successors, shall hereby be divested or discharged from the same; but the cure of souls, with all other parochial rights and duties, (such augmentation and allowances to the augmented church or chapel, as aforesaid, only excepted) shall hereafter be and remain

All augmented churches, &c. shall be perpetual benefices,

and the ministers shall be bodies politick,

and shall be enabled to take in perpetuity such lands, &c.

Impropiators, &c. of augmented churches, &c. and the rectors, &c. of the mother-churches, are excluded from the benefit of such augmentation, and shall allow the usual pensions, &c. to the ministers officiating.

Rectors, &c. of mother-churches to be discharged from cure of souls.

main in the same state, plight and manner as before the making of this act, and as if this act had not been made.

Augmented cures remaining void six months, shall lapse to the bishop, &c.

VI. *And for continuing the succession in such augmented cures, hereby made perpetual cures and benefices, and that the same may be duly and constantly served:* be it enacted by the authority aforesaid, That in case such augmented cures be suffered to remain void by the space of six months, without any nomination within that time of a fit person to serve the same. (by the person or persons having the right of nomination thereunto) to the bishop or other ordinary, within that time, to be licensed for that purpose, the same shall lapse to the bishop, or other ordinary, and from him to the metropolitan, and from the metropolitan to the crown, according to the course of law used in cases of presentative livings and benefices, and the right of nomination to such augmented cure may be granted or recovered and the incumbency thereof may and shall cease, and be determined, in like manner, and by the like methods, as the presentation to, or incumbency in any vicarage presentative may be now respectively granted, recovered, or determined.

If persons intitled to nominate suffer a lapse, but no nomination before advantage taken, such nomination shall be good.

VII. Provided always, That in case the person or persons entitled to nominate in such augmented cure shall suffer lapse to incur, but shall nominate before any advantage taken thereof by the ordinary, metropolitan, or crown, respectively, that such nomination shall be as effectual as if made within six months, although so much time be before elapsed, as that the title of lapse be vested in the crown.

VIII. *And in as much as by the said rules established by her said late Majesty, under her great seal, for the management of the aforesaid royal bounty, her said late Majesty was pleased to manifest her gracious intentions to invite private contributions towards augmenting the maintenance of the poor clergy, by ordering, amongst other things, That to encourage benefactors from others, and thereby the sooner to complete the good that was intended by her said late Majesty's bounty, the said governors may give the sum of two hundred pounds (which is the stated sum allowed to each cure which shall be augmented) to cures not exceeding thirty-five pounds per annum, where any person or persons will give the same or greater sum or value in lands or tithes: and in as much as the right of presentation, or nomination to small livings, is of inconsiderable value, and yet it may be a great inducement to such benefactions, if the benefactors may have some right of presentation or nomination to the cure which himself contributes to augment; be it therefore further enacted, That all agreements with such benefactor and benefactors, with the consent and approbation of the said governors, touching the patronage or right of presentation or nomination to any such augmented cure, made or to be made for the benefit of such benefactor and benefactors, his, her or their heirs or successors, by the King's most excellent majesty, his heirs and successors, under his and their sign manual, or by any bodies politick or corporate, or by any person or persons being of the full age of twenty-one years, having an estate of inheritance either in fee-*

All agreements with benefactors touching the patronage of augmented cures, shall be good in law;

simple,

simple, or fee-tail, in their own right, or in the right of their churches, or wives, or jointly with their wives, made before coverture, or after, or having an estate for life, or for years determinable upon his and their own life and lives, with remainder in fee-simple or fee-tail to any issue of his or their own bodies, in such patronage, or right of presentation, or nomination, in possession, reversion or remainder, shall be respectively good and effectual in the law against his Majesty, his heirs and successors, or against all and every such bodies politick and corporate, or against the persons so agreeing, their wives, heirs and successors respectively, and every of them, and against all and every their issue, and against every other person and persons claiming in remainder and reversion after such estate-tail, as aforesaid, according to the form of such agreement; and the advowson, patronage, and right of presentation and nomination to such augmented churches and chapels, shall be vested in such benefactors, their heirs and successors, as against his Majesty, his heirs and successors, or the said bodies politick and corporate, and their successors, or the said respective persons, as aforesaid, as fully, and in like manner and form, as if the same had been granted by his said Majesty, his heirs or successors, under his and their great seal, and as if such bodies politick or corporate had been free from any restraint, and as if such other persons so agreeing had been sole seized in his and their own right of such advowson, patronage, right of presentation and nomination, in fee-simple, and had granted the same to such benefactors, their heirs and successors respectively, according to such agreements.

and the advowson, &c. shall be vested in such benefactors.

IX. And be it further enacted, That the agreements of guardians for and on behalf of infants or idiots under their guardianship, shall be as good and effectual to all intents and purposes, as if the said infants or idiots had been of full age, and of sound mind, and had themselves entred into such agreements.

Agreements of guardians shall bind infants, &c.

X. Provided always, That in case of any such agreement, as aforesaid, by any parson or vicar, the same shall be with the consent and approbation of his patron and ordinary.

Agreement by a parson shall be with consent of his patron.

XI. Provided also, That in case of any such agreement, as aforesaid, made by any person seized in right of his wife, the wife shall be a party to the agreement, and shall seal and execute the same.

Where the wife shall be a party to the agreement.

XII. And in as much as such benefactors are to be considered, in some degree, as founders and patrons of churches; be it further enacted, That such agreements so made, as aforesaid, shall be as effectual for the supplying cures vacant at the time of such augmentation made or proposed, as for the advowson or nomination to future vacancies.

Such agreements shall be effectual for supplying vacant cures.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful, with the concurrence of the said governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, and the incumbent, patron, and ordinary of any augmented living or cure, to exchange

The estate settled for augmentation may be exchanged.

change

change all, or any part of the estate settled for the augmentation thereof, for any other estate in lands or tithes, of equal or greater value, to be conveyed to the same uses.

Augmented
donatives to
be visited by
the bishop.

XIV. And be it further enacted by the authority aforesaid, That all such donatives which are now exempt from all ecclesiastical jurisdiction, and shall be augmented by virtue of the powers given by this act, shall be subject to the visitation and jurisdiction of the bishop of the diocese wherein such donative is, to all intents and purposes of law whatsoever.

No donative
augmented
without the
patron's con-
sent.

XV. Provided always, That no donative shall be augmented without the consent of the patron or patrons in writing, under his or their hands and seals first had and obtained.

The gover-
nors may a-
gree with the
patron, &c.
of any dona-
tive, &c. for
an allowance
to the minister
of such aug-
mented dona-
tive, &c.

XVI. Provided also, That where it shall fall to the lot of any donative, curacy, or chapelry, to receive an augmentation from the said bounty, according to the rules already established, or hereafter to be established, it shall and may be lawful to and for the governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, and they are hereby impowered, before they make the same augmentation, to treat and agree with the patron of any donative, impropriator of any rectory impropriated without endowment of any vicarage, or parson or vicar of any mother-church (as the case shall happen to be) for a perpetual yearly, or other payment or allowance to the minister or curate of such augmented donative, curacy, or chapelry, and his successors, to be made in all succeeding times by such patron, impropriator, parson or vicar, and his and their heirs and successors, and for charging and subjecting the impropriate rectory, or the mother-church, or vicarage therewith, and thereunto, in such manner, and with such remedies as they shall be thought fit; and such agreements made with the King's most excellent majesty, his heirs and successors, under his or their sign manual, or with any bodies politick or corporate, or any other person or persons having any estate or interest, in possession, reversion, or remainder, in any such impropriate rectory in his or their own right, or in right of his or their churches or wives, or with the guardian or guardians of any person or persons having such estate or interest, or with any parson or vicar of any mother-church, shall be as effectual to all intents and purposes with respect to such charges, as agreements made with his Majesty, his heirs and successors, or with the same person or persons, bodies politick or corporate respectively, touching the pattenage or right of presentation or nomination to the same cures, touching which such agreements shall be respectively made; and in case such impropriator, other than the King's majesty, his heirs and successors, and such parson or vicar, will not or shall not make such agreement with the said governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy; it shall and may be lawful to and for the said governors to refuse such augmentation, and to apply the money arising from the late Queen's said bounty, which

and such a-
greements
shall be effec-
tual.

And if such
impropriator
(other than
the King) will
not agree, the
governors
may refuse
such augmen-
tation.

which ought to have been employed therein, for augmenting some other cure, according to the rules then in force.

XVII. *And whereas the before-mentioned acts of parliament, of the fifth and sixth years of the reign of her said late Majesty, were, for the diocese of Chichester, not executed in due time, and in many dioceses not with that exact certainty of the yearly values and distinction of mediocrities in the certificates, as regularly ought to have been; and some small prebends in cathedral churches were, by reason of their being dignities, omitted in some certificates, although they have the cure of souls thereto annexed, and are therefore livings with cure of souls within the words and meaning of the said acts: for supplying the defect in the execution of the said former acts of parliament; be it enacted by the authority aforesaid, That the certificate for the diocese of Chichester, dated the twenty-fourth day of December one thousand seven hundred and eight, which was received in the court of Exchequer at Westminster, and is now remaining there, shall be as effectual, to all intents and purposes, as if the same had been sealed and returned into the said court of Exchequer, within the times limited by the said respective acts of parliament in that behalf made; and also that all and every the churches, vicarages and livings, in and by the said certificate, or in and by the certificates made and returned in due time, or any of them, certified to be under fifty pounds per annum, and each mediocrities therein, shall be entitled to, and have the benefit of the said respective discharges by the said several acts of parliament, as fully, to all intents and purposes, as if the precise yearly value had been expressed, and the mediocrities distinguished in such certificate and certificates: and further, that it shall and may be lawful to and for the said governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, under their common seal, to be affixed at a court of the said governors, and under the hands of the governors then present, to certify into the court of Exchequer the names of such prebends in cathedral churches, under the yearly value of fifty pounds, the prebendaries whereof have the immediate cure of souls of the respective parishes whereof such prebends are denominated, although the same were not named in any former certificate; and such certificate and certificates of the said governors, being returned into the said court of Exchequer, shall be as effectual to all intents and purposes of the said two before-mentioned acts of parliament, as if the prebends therein named had been duly certified within the times in the said acts limited, and by the persons, and in the manner therein directed.*

XVIII. *And whereas notwithstanding the utmost diligence of the bishops to inform themselves of, and certify into his Majesty's court of Exchequer, all the livings in their respective dioceses under the clear improved yearly value of fifty pounds, in pursuance of the said acts, the several livings within the respective dioceses hereafter named, though supposed to be under the value of fifty pounds per annum, have either not been certified, or if certified, the certificates of them have been lost, or not duly entered, or by some other mistakes it has so happened*

The certificate for the diocese of Chichester, dated Dec. 24. 1708. and remaining in the Exchequer, shall be as effectual as if it had been returned in due time.

And the governors may certify into the Exchequer the prebends under the yearly value of 50 l. though not named in any former certificate,

and such certificates shall be effectual.

Livings not certified, which the bishops may certify before March 25m. 1716.

pened that the said livings have not yet had the benefit designed them by the said acts; be it further enacted by the authority aforesaid, That it shall and may be lawful for the bishops of the said dioceses, at any time before the twenty-fifth day of March one thousand seven hundred and sixteen, to certify into the court of Exchequer the livings following, or such of them, as shall appear to the respective bishops to be under the value of fifty pounds per annum, (viz.) in the diocese of York, the rectory of *Saint Michael apud Pontem de Ouze* in the city of York, the vicarage of *Skipwith*, the vicarage of *Kilham*, the vicarage of *North-Leveton*, the vicarage of *Norwell Overhall*: in the diocese of *Bangor*, the vicarage of *Lanunda*, the vicarage of *Llanfair Hgaer*, the vicarage of *Llanor*, the vicarage of *Nevis*, the vicarage of *Abererch*, the vicarage of *Cogway*, the vicarage of *Dwynyllbe*: in the diocese of *Carlisle*, the rectory of *Kirkbride*, the rectory of *Duston*, the vicarage of *Edenball*: in the diocese of *Chichester*, the vicarage of *Sela*, the rectory of *Beata Mariæ in Westons Lewes*, the rectory of *Gbalton*, the rectory of *Winchelsey*, the vicarage of *Bernehill*: in the diocese of *Saint David's*, the vicarage of *Merchir* alias *Mathre*, the vicarage of *Saint Wismock* alias *Saint Twinmells*: in the diocese of *Litchfield* and *Coventry*, the vicarage of *Hortington*, the vicarage of *Saint Mary's* in *Litchfield*, the south-mediety of *Darleigh*, the vicarage of *Glossop*: in the diocese of *Lincoln*, the rectory of *Belkew* alias *Hellow*, the vicarage of *Elsham*, the rectory of *Normamby*, the rectory of *Snarford*, the vicarage of *Buckingham*, the rectory of *Okeney*, the vicarage of *Mentmore*, the vicarage of *Missenden Magna*, the vicarage of *Swanburn*: in the diocese of *Norwich*, the vicarage of *South-Walsam*, the rectory of *Framlinghams*, the vicarage of *Burnham-Overy*, the vicarage of *Scarning*, the vicarage of *Nellans*, the vicarage of *Milton Parva*, the rectory of *Repbam Medietas* & altera *Medietas*, the vicarage of *Thurston*, the vicarage of *Colkirk*, the rectory of *Catfields*, the vicarage of *Henly*, the rectory of *Newborn*, the rectory of *Culpho*, the rectory of *Dunwich Johannis*, the rectory of *Pakefields*, the rectory of *Melford Longa*, the vicarage of *Finborough Parva*, the rectory of *Willingham* alias *Ellough*, the rectory of *Bromeswell* in *Wilford*: in the diocese of *Oxford*, the vicarage of *Stanton-Harcourt*: in the diocese of *Peterborough*, the vicarage of *Cranfley*: in the diocese of *Winchester*, the vicarage of *Shalford*, and the vicarage of *Ellingham*: and the said livings so certified, shall have the benefit of the two fore-mentioned acts of parliament, as effectually, to all intents and purposes, as if they had been duly certified within the time limited by the said acts.

and they shall have the benefit of the acts of 5 An. c. 24. and 6 An. c. 27.

XIX. And be it further enacted by the authority aforesaid, That the courts and committees of the said governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, shall have power and authority, and are hereby authorized and impowered, from time to time, to administer an oath to such person and persons as shall at any time give them information, or be examined of or concerning any matter

The governors impowered to administer oaths.

matter or thing relating to the execution of this or the said former acts of parliament, or any way concerning the trust in them reposed.

XX. And be it further enacted by the authority aforesaid, That all the augmentations, certificates, agreements, and exchanges hereafter to be made, by virtue of or in pursuance of this act, shall be carefully examined and entred in a book to be provided and kept by the governors for that purpose, the said entries being approved at a court of the said governors, and attested by the governors then present, shall be taken to be as records, and the true copies thereof, or of the said entries, being proved by one or more credible witnesses, shall be deemed, taken, and adjudged to be good and sufficient evidence in law, touching the matters contained therein, or relating thereto.

XXI. And to the end that churches and chapels may at all times be capable of receiving augmentations for the maintenance of the ministers thereof; be it enacted by the authority aforesaid, That if the governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, shall by any deed or instrument in writing under their common seal, allot or apply to any church or chapel, any lands, tithes, or hereditaments, arising from the said bounty of her said late Majesty, or from private contribution or benefaction, or from all or any the ways aforesaid, and shall declare, That the same shall be for ever annexed to such church or chapel, then such lands, tithes, and hereditaments, shall from thenceforth be held and enjoyed, and go in succession with such church and chapel for ever; and such augmentation so made shall be good and effectual, to all intents and purposes whatsoever, whether such church or chapel, for which such augmentation is intended, be then full or vacant of an incumbent or minister; provided such deed or instrument be enrolled in the high court of chancery within six months after the day of the date thereof.

Vide 3 Geo. I. cap. 10.

CAP. XI.

An act to restrain all waggoners, carriers, and others, for drawing any carriage with more than five horses in length.

WHEREAS in and by one act of parliament made in the sixth year of her late Majesty, intituled, An act to repeal a clause in an act of the seventh year of the reign of his late Majesty (for amending and repairing the highways) which enjoins waggoners and others to draw with a pole between the wheel-horses, or with double shafts, and to oblige them to draw only with six horses, or other beasts, except up hills, it is among other things enacted, That from and after the four twentieth day of June one thousand seven hundred and eight, no travelling waggon, wain, cart or carriage, wherein any burthens, goods or wares should be carried or drawn, other than such carts and carriages as were or should be employed in or about husbandry or manuring of land, and in carrying of
hay,

Augmentations, &c. to be entred, and the entries to be taken as records; and attested copies thereof shall be good evidence in law.

Lands, &c. allotted to any church, &c. by deed under the governor's seal, shall go in succession, &c.

such deed being enrolled in six months.

6 Ann. c. 29.

hay, straw, corn, coal, chalk, timber for shipping, materials for building, stores of all sorts, or such ammunition or artillery as should be for the service of her Majesty, her heirs or successors; should at any one time travel, be drawn, or go in any common or publick highway or road, with above six horses, oxen, or beasts, upon and under the pains and penalties, and subject to the proviso therein mentioned: and whereas the excessive weights or loads laid upon waggons or other carriages drawn by six horses, as aforesaid, are found by experience to be so heavy and burthensome, that the roads are thereby rendered almost impassable: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That from and after the thirtieth day of September one thousand seven hundred and fifteen, no travelling waggon, wain, cart or carriage, wherein any burthens, goods and wares shall be carried and drawn (other than and except as in the recited act is excepted) shall at any one time be drawn or go in any common or publick highway or road with above five horses, oxen, or beasts in length, upon the like pains, penalties and forfeitures, and subject to the provisos in the said recited act mentioned, or in an act made in the ninth year of her said late Majesty's reign, to render more effectual the said recited act of the sixth year of her said Majesty's reign; the said recited statute, or any clause therein contained, or any other statute to the contrary in any wise notwithstanding.

After Sept. 30, 1715. no waggon, &c. shall be drawn with above five horses, &c. in length, under the penalties in the acts 6 Ann. c. 29. and 9 Ann. c. 18.

The exception in the said acts shall not extend to threshed corn or coal.

II. Provided, and it is enacted by the authority aforesaid, That the said exception in the said acts, or either of them contained, or in any other acts whatsoever, shall not extend or be construed to extend to the excepting the carriage of threshed corn and coal. *Altered and made more effectual by 5 Geo. 1. c. 12. 16 Geo. 2. c. 29., 18 Geo. 2. c. 33. 24 Geo. 2. c. 43.*

CAP. XII.

An act for enlarging the fund of the governor and company of the bank of England, relating to Exchequer bills; and for settling an additional revenue of one hundred and twenty thousand pounds per annum upon his Majesty during his life, for the service of the civil government; and for establishing a certain fund of fifty four thousand six hundred pounds per annum, in order to raise a sum not exceeding nine hundred and ten thousand pounds for the service of the publick, by sale of annuities, after the rate of six pounds per centum per annum, redeemable by parliament; and for satisfying an arrear for work and materials at Blenheim, incurred whilst that building was carried on at the expence of her late majesty Queen Anne, of blessed memory; and for other purposes therein mentioned.

MOST gracious Sovereign, Whereas in pursuance of an act of parliament made in the seventh year of the reign of her late majesty 7 Ann. c. 7.
 Queen Anne (of blessed memory) for enlarging the capital stock of the bank of England, several bills, commonly called Exchequer bills, were made forth, amounting in principal money to two millions and five hundred thousand pounds, for her Majesty's supply; and in pursuance of another act made in the said seventh year of her said late Majesty's reign (amongst 7 Ann. c. 8.
 other things) for circulating a further sum in Exchequer bills; and of certain clauses contained in an act of the eighth year of her reign in that 8 Ann. c. 13.
 behalf, there were issued for her Majesty's supply more such bills, amounting to the further sum of four hundred thousand pounds in principal money; and pursuant to another act made in the twelfth year of her said late Majesty's reign, (amongst other things) for circulating a further 12 Ann. Stat. 1.
c. 11.
 sum in Exchequer bills, there were issued for her Majesty's supply more such bills, amounting, in principal money, to twelve hundred thousand pounds; and it was provided by the said acts respectively, That all the said bills should bear an interest after the rate of two pence per centum per diem (saving the said interest upon such of the said bills as should at any time or times be in the Exchequer, or in the hands or power of any receiver or collector of any taxes, aids, or revenues payable to her Majesty, her heirs or successors, during such time and times respectively as such bills should be or remain in the Exchequer, or in such hands or power, as aforesaid) and that the governor and company of the bank of England should have an allowance, after the rate of three pounds per centum per annum, for circulating all the said bills in the manner by the said acts respectively prescribed, abating the same allowance proportionably as the bills should be cancelled: and whereas by an act made in the ninth year of her said late Majesty's reign, for better enabling the 9 Ann. c. 7.
 said governor and company, and their successors, to exchange for ready money, upon demand, any of the bills made forth upon the said several acts of the seventh and eighth years of her said late Majesty's reign, it was enacted, That the full sum of forty five thousand pounds per annum should be paid to and for the use of the said governor and company, and

their successors, by the several ways and means therein specified, for and during such time only as in that act was expressed; and by the said act made in the twelfth year of her said late Majesty's reign, for better enabling the said governor and company, and their successors, to circulate all Exchequer bills made forth and to be made forth on that and the former acts, by exchanging the same, from time to time, for ready money, upon demand, it was enacted, That the entire yearly sum of eight thousand pounds (over and above the said yearly sum of forty-five thousand pounds) should be paid to and for the use of the said governor and company, and their successors, by quarterly payments; and that the said yearly sum of eight thousand pounds, together with the said yearly sum of forty-five thousand pounds, should continue and be paid and payable to the said governor and company, and their successors, until such time as no more than nineteen hundred thousand pounds of all the bills issued and to be issued, in pursuance of that and the said former acts (taken all together) should be standing out uncanceled in the whole: and whereas for making good as well the said interest, after the rate of two pence per centum per diem, and the said allowance after the rate of three pounds per centum per annum, upon all the bills issued and to be issued, as aforesaid, as also the said yearly sum of eight thousand pounds, until the subsidies, duties, surplus monies, remains and arrears, composing the general fund and security by the said former acts, or some of them, intended to be established, or so many of them as should be sufficient for those purposes, should have taken effect; it was by the said several acts of the seventh, eighth, and twelfth years of her said late Majesty's reign, or some of them, enacted, That the lord treasurer, or three or more of the commissioners of the treasury for the time being, should make out, or cause to be made out other Exchequer bills, for so much as should be computed to be due at the respective quarter days therein mentioned (over and above what should have been applied out of the subsidies, duties and sums of money aforesaid, for the said interest, and for such allowance of three pounds per centum per annum, and for the said yearly sum of eight thousand pounds respectively) and that such quarterly bills should bear the like interest of two pence per centum per diem, and the said governor and company should have the like allowance of three pounds per centum per annum, for circulating thereof: and whereas in and by the said first mentioned act of the seventh year of her said late Majesty's reign, certain duties were granted, continued, or made payable to her Majesty, her heirs and successors for ever, that is to say, the duties called the two thirds of a subsidy of tonnage and poundage therein mentioned, which were to take effect, and did take effect by that act, from the seventh day of March one thousand seven hundred and eleven, certain duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, pictures, and muslins, and certain increased duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, and pictures, and certain further rates or duties upon all white calicoes, porcelain, commonly called China ware, and drugs, all which were to take effect, and did take effect by the act last mentioned, from the twenty third day of June one thousand seven hundred and fourteen; and one half of another subsidy of tonnage and poundage therein mentioned, which was to take effect, and did take effect by the same act, from and after the last day of July one thousand seven hundred and fourteen; and by the said act of the twelfth year of her said late Majesty's reign,

7 Ann. c. 7.

12 Ann. stat. 1.
C. 11.

reign, all the said duties so granted, continued, or made payable for ever, together with the surplus which should from time to time arise of, or from the other half of the subsidy of tonnage and poundage last mentioned (over and above eighty thousand pounds per annum, formerly charged thereupon for payment of annuities) and divers arrears and other sums of money or revenues, more largely described in the said first mentioned act 7 Ann. c. 7. of the seventh year of her Majesty's reign, are made a general fund or security, and appropriated as well for satisfying and paying, from time to time, all the monies which should be due or payable for interest, after the rate of two pence per centum per diem, and for the said allowance of three pounds per centum per annum, for all the bills made out, or to be made out, upon the said act of the twelfth year, or any the former acts before mentioned, and all the monies which should grow due upon the said yearly sums of forty five thousand pounds, and eight thousand pounds, as also for or towards raising such a yearly sum as is after mentioned, for paying off and cancelling all the said bills: and by the said act of the twelfth year of her Majesty's reign, it was enacted, That after pay- 12 Ann. stat. 1, ing or reserving sufficient to pay, from time to time, so much as should c. 11. be grown due, or demandable for the said interest of two pence per centum per diem, and allowance of three pounds per centum per annum, then the monies which should, from time to time, be grown due to the said governor and company, and their successors, upon their said other yearly allowances of eight thousand pounds, and forty five thousand pounds from the respective times therein mentioned, should quarterly be paid out of the monies arising by the said duties and revenues; and that after paying or reserving sufficient to pay so much as should, from time to time, be incurred and grown due, for and upon the said interest, after the rate of two pence per centum per diem, and the said several allowances after the rate of three pounds per centum per annum, eight thousand pounds per annum, and forty five thousand pounds per annum, (which were always to be preserved in point of payment) the full and entire yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds seven shillings (comprehending therein the yearly sum of two hundred thousand pounds mentioned in the said former acts, or some of them) or so much of the said yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds seven shillings, as the remainder of the said fund should from time to time produce for that purpose, should be, and is thereby appropriated for paying off all the principal money contained and to be contained in all and every the Exchequer bills, made forth, and to be made forth, by or in pursuance of that and the said former acts, or any of them, and for cancelling the same, until all the said bills shall be discharged and cancelled; and by the same act it was provided and enacted, That from and after the complete paying off and discharging all the principal and interest which should be due on the said Exchequer bills issued and to be issued in pursuance of that and the said other acts, and cancelling all the same bills, and full satisfaction made of all arrears (if any should be then due) as well of the said allowance after the rate of three pounds per centum per annum, as also of the said yearly sums of forty five thousand pounds, and eight thousand pounds, or either of them, then, and not till then, the several subsidies, duties and revenues, settled or appropriated, as well for payment of the said interest of two pence per centum per diem, and the said allowance after the rate of three pounds per centum per annum, and the said yearly sums

of forty five thousand pounds and eight thousand pounds, as also for raising the said yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds and seven shillings, and every of them, should be understood to be redeemed by parliament, and should not be issued, paid or applied to any use, intent or purpose whatsoever, without the authority of parliament, as in and by the several acts above recited or mentioned (amongst divers other clauses, matters and things therein contained) relation being thereunto respectively had, may more fully appear: and whereas all the bills which were issued upon the said several acts (including the quarterly bills before-mentioned) did amount in the whole to four millions six hundred seventy-six thousand eight hundred and twelve pounds and ten shillings; and since the said duties or revenues have taken effect, as many of the bills so issued, as amounted to one hundred and fifteen thousand seven hundred eighty-seven pounds and ten shillings, have been (pursuant to the said act of the twelfth year of her late Majesty's reign) paid off and cancelled, so that the bills made forth upon the said several acts which are standing out, or do remain uncanceled or undischarged, upon the eleventh day of July one thousand seven hundred and fifteen, do amount to the sum of four millions five hundred sixty-one thousand and twenty-five pounds, or thereabouts: and whereas we your Majesty's most dutiful and loyal subjects, the commons of Great-Britain in parliament assembled, being justly sensible of the inestimable blessings which your subjects do enjoy under your Majesty's auspicious government, and the good prospect of continuing those blessings to your said subjects, and their posterities, under your Majesty and your royal offspring, are desirous that a sufficient provision may be settled by the most easy and effectual ways and means, for enabling your Majesty to support the dignity of the crown, and to make an honourable provision for your royal family, and have therefore resolved, that there be granted to your Majesty, during your life, (which God long preserve) an additional revenue of one hundred and twenty thousand pounds per annum, which together with the neat produce of the branches settled for the uses of your Majesty's civil government by the late act of parliament in that behalf, may make up the clear yearly sum of seven hundred thousand pounds, for the service of your Majesty's household and family, and other your necessary expences and occasions: and your said commons of Great Britain are also desirous, That a sum not exceeding nine hundred and ten thousand pounds may be raised (by the like easy and effectual ways and means) as part of the necessary supply by them granted for the service of your Majesty's navy and forces, and other your Majesty's publick occasions: and your Majesty's said commons finding, that upon enlarging or augmenting the said present fund and security of the said governor and company of the bank of England, by such additional revenues and incomes as are herein after granted, continued and appropriated, and making such enlarged or augmented fund and security liable, in the first place, to satisfy all monies which shall, from time to time be incurred and grown due, as well for and upon the said interest of two pence per centum per diem, as the said allowance of three pounds per centum per annum; and in the next place, to satisfy all monies which shall from time to time be incurred and grown due for and upon the said other allowances of forty-five thousand pounds per annum, and eight thousand pounds per annum, (the said interest and several allowances being always to be preferred in payment, as aforesaid, according to the tenor and true meaning of this and the said former acts) they

Additional
revenue for
the civil go-
vernment.

the said governor and company of the bank of England, are willing for accommodating your Majesty's affairs, that out of the residue or remainder of such enlarged or augmented fund, the yearly sum of one hundred and twenty thousand pounds, by quarterly payments, shall and may be taken and applied for the service of your Majesty's household and family, and other your necessary expences and occasions; and that after paying or reserving sufficient to pay such monies as shall, from time to time be incurred and grown due, for or upon the said yearly sum of one hundred and twenty thousand pounds, then the further yearly sum of fifty-four thousand six hundred pounds, by like quarterly payments, shall and may be taken and applied out of the said residue or remainder of the said enlarged or augmented fund, in order to raise any sum or sums of money, not exceeding nine hundred and ten thousand pounds, for such publick services, as aforesaid; and that after paying or reserving sufficient to pay so much as shall, from time to time, be incurred and grown due for or upon the said yearly sums of one hundred and twenty thousand pounds, and fifty-four thousand six hundred pounds, and either of them, out of the said residue or remainder of such enlarged or augmented fund, then the aforesaid yearly sum of two hundred and seventy thousand nine hundred ninety-nine pounds and seven shillings, or so much thereof, as the said residue or remainder of such enlarged or augmented fund shall, from time to time, produce for that purpose, shall and may be appropriated for paying off all the principal money contained in all and every the said Exchequer-bills remaining, and which shall from time to time remain uncanceled or undischarged, and for cancelling the same, until all the said bills shall be cancelled and discharged. Provided always, That in case at any time or times there shall happen to be any deficiency or deficiencies to make good the payments of the original fund of one hundred thousand pounds per annum of the said governor and company, specified in the said first mentioned act of the seventh year of her late Majesty's reign, and of their yearly annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence, in the same act specified, or either of them, then and so often, all and every such deficiency and deficiencies shall and may, from time to time, be satisfied and made good out of the said residue or remainder of such enlarged or augmented fund, as aforesaid, with preference to any issues thereafter to be made for cancelling any of the said Exchequer-bills: now for the making up, settling and establishing a good, sure and complete fund, sufficient to answer all the ends and purposes by this act intended, by making all the payments which shall, from time to time, be incurred or grown due (in the order and course hereby prescribed) as well for and upon the said interest, and several allowances before-mentioned, as for and upon the said yearly sums of one hundred and twenty thousand pounds, and fifty-four thousand six hundred pounds, and by making good such deficiencies as shall or may happen, as aforesaid, and by producing a yearly sum to be applied quarterly, for or towards the cancelling and discharging the said bills; we your Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do humbly beseech your Majesty, that it may be enacted and declared; and be it enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the aforesaid duties, called the two thirds of a subsidy of tonnage and pound-

120,000l. per annum to be applied for the service of the household, &c.

910,000l. for publick services.

Deficiencies, how to be made good.

See 1 Geo. 1, Stat. 2. c. 19, §. 1.

The two thirds subsidy, the duties on

coffee, &c. and the one half subsidy, 7 Ann. c. 7. shall be part of the general fund for the uses of this act.

age, and the said duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, pictures and maulins, and the said increased duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, and pictures, and the said further rates or duties upon all white callicoes, porcelain, commonly called *China* ware, and drugs, and the aforesaid half subsidy of tonnage and poundage, which were all granted to her said late Majesty, her heirs and successors for ever, by the said first mentioned act of the seventh year of her reign, and the excess or surplus, which shall from time to time arise by the said other moiety or half of the said subsidy of tonnage and poundage, which was granted for the term of ninety six years, from the last day of *July* one thousand seven hundred and twelve, and charged with eighty thousand pounds *per annum*, for payment of annuities, and all other revenues, remains and arrears whatsoever, which by the said act of the twelfth year of her said late Majesty's reign were appropriated for payment of interest and allowances relating to the Exchequer bills, or towards cancelling the same, subject to such redemption as was thereby prescribed, shall be, and shall be deemed and taken, and are hereby enacted and declared to be part of the general fund, and security by this act established and intended to be established, for all the uses and purposes in this act expressed, and shall be subject to such redemption as in this act is prescribed, and not otherwise; the said former acts or any of them, or any clause, matter or thing in them, or any of them, contained to the contrary in any wise notwithstanding.

II. *And to the end there may be no failure or defect in the said general fund hereby intended to be established, his Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have given and granted, and by this act do give and grant to his Majesty, his heirs and successors for ever, the several additional revenues and incomes herein after more particularly expressed, and do most humbly beseech his Majesty, that it may be enacted; and be it enacted by the authority aforesaid, in manner following, that is to say, Whereas by an act of parliament of the sixth year of her said late Majesty's reign, intituled, An act for continuing one half part of the subsidies of tonnage and poundage, and other duties upon wines, goods, and merchandizes imported, which were granted to the crown in the twelfth year of the reign of King Charles the Second, and for settling a fund thereby, and by other ways and means, for payment of annuities, not exceeding eighty thousand pounds per annum, to be sold for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and eight, and other uses therein expressed, it was enacted, That there should be raised and levied, for and upon all wines, goods, and merchandizes, which at any time or times, from and after the said last day of *July* one thousand seven hundred and twelve, within or during the term of ninety six years, from thence next and immediately ensuing, should be imported or brought into Great Britain,*

Duties on wines and merchandizes,

6 Ann. c. 11.

Britain, one moiety or half-part of the subsidies, duties, and sums of money therein mentioned, or thereby referred to; (except as therein is excepted): now it is hereby enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid to his Majesty, his heirs and successors for ever, for and upon all wiaes, goods and merchandizes, which at any time or times, from and after the determination of the said term of ninety six years, shall be imported or brought into *Great Britain*, the like moiety or half-part of the like subsidies, duties, and sums of money (except as in and by the said act of the sixth year of her late Majesty's reign, or any other act or acts of parliament in relation to the said half-subsidy, is excepted) and shall be collected, levied, and paid by such ways and means, and under such penalties and forfeitures, and subject to such drawbacks and allowances, and in such manner and form, as by the said act of the sixth year of her Majesty's reign, or any other act relating thereunto, is prescribed, for raising and levying the said half-subsidy, during the term aforesaid; and that all the monies which, after the determination of the said term of ninety six years, shall arise, of or for the said moiety or half-part of the said subsidy and duties hereby intended to be continued, and all the arrears of the said half-subsidy which shall or may arise by virtue of the grant thereof, during the term aforesaid, after all the annuities and payments charged thereupon shall be fully paid off and determined, or money sufficient shall be reserved for that purpose (the necessary charges of management always excepted) shall be brought and paid; from time to time, into the receipt of the Exchequer, for the purposes in this act expressed, and subject to such redemption as is hereby prescribed concerning the same.

III. *And whereas by an act of parliament made and passed in the seventh year of the reign of his late majesty King William the Third (of glorious memory) intituled, An act for granting to his Majesty an additional duty upon all French goods and merchandizes, certain additional duties were laid on French wines, brandy, vinegar, and other goods of the growth, product, or manufacture of France, imported from and after the twenty eighth day of February one thousand six hundred ninety six, for the term of one and twenty years, and from thence to the end of the next session of parliament;* be it further enacted by the authority aforesaid, That the said additional duties upon *French* wines, goods, and merchandizes, imposed by the act last mentioned, after the determination of that act, shall have continuance and be paid and payable to his Majesty, his heirs and successors for ever, and shall be collected, levied, and paid, by such ways and means, and subject to such penalties and forfeitures, and in such manner and form, as the said additional duties by the act last mentioned, or by any other act relating thereunto, are appointed to be raised or levied; and that all the monies which, from and after the feast-day of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifteen, shall arise of or for the said

Additional duties on French goods, 7&8W.3.C.29.

Made perpetual,

additional duties upon *French* wines, goods, and merchandizes, by virtue of the said act of the seventh year of the reign of King William the Third, or by virtue of this present act, except the necessary charges of raising and paying the same, shall be brought and paid, from time to time, into the receipt of the Exchequer, for the purposes in this act expressed, and subject to such redemption as is hereby prescribed concerning the same.

Plantation
duties,

IV. And it is hereby also enacted by the authority aforesaid, That all the monies which, from and after the said feast-day of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifteen, shall arise by the duties which in and by an act of parliament made and passed in the 5 Car. 2. c. 7. five and twentieth year of the reign of King *Charles* the Second (of blessed memory) intituled, *An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade*, were granted to his Majesty, his heirs and successors for ever, commonly called the plantation duties (the necessary charges of raising and paying the same excepted) shall also be brought and paid, from time to time, into the said receipt of Exchequer, for the purposes in this act expressed, and be liable to such redemption as is herein after prescribed in that behalf.

Duty on-hops
9 Annæ, c. 12.
continued for
ever.

V. And be it likewise enacted by the authority aforesaid, That the several and respective duties, which in and by an act of parliament made in the ninth year of the reign of her said late majesty Queen *Anne*, intituled, *An act for laying a duty upon hops*, were imposed upon all hops, which at any time or times within or during the term of four years, reckoned from the first day of *June* one thousand seven hundred and eleven, should be imported or brought into the kingdom of *Great Britain*, and for and upon all hops growing in *Great Britain*, which, at any time or times within or during the said term of four years, should be cured and made fit for use (which duties by an act of the present session of parliament are continued until the first day of *August* one thousand seven hundred and fifteen) shall be and are hereby further continued, and shall be paid and payable to his Majesty, his heirs and successors for ever, for and upon all hops which, at any time or times from and after the last day of *July* one thousand seven hundred and fifteen, shall be imported or brought into the kingdom of *Great Britain*, and for and upon all hops growing and to grow in *Great Britain*, which, at any time or times after the said last day of *July* one thousand seven hundred and fifteen, shall be cured and made fit for use; the same duties to be charged, ascertained, secured, collected, levied and paid, by such rules, ways, means and methods, and with such drawbacks and allowances, and under such penalties and forfeitures, and in such manner and form, as the said duties on hops by the two acts last mentioned, or either of them, or by any other act or acts of parliament thereby referred unto, were enacted or directed to be charged, ascertained, secured, collected, levied and paid; and that all and every the clauses,

powers, directions, penalties, and forfeitures, provisos, matters and things contained in the said former acts concerning hops, or either of them, for securing, raising or levying the duties on hops thereby granted or continued, or for encouraging the exportation of *British* hops for *Ireland*, or for restraining the use of bitter ingredients instead of hops, or touching or concerning hops of foreign growth, or otherwise relating to hops, shall be and are hereby revived, and shall continue for ever in full force and vigour, for securing, raising, and levying the duties upon hops, hereby granted and continued, and for encouraging the exportation of *British* hops to *Ireland*, and for restraining the use of bitter ingredients instead of hops, and for all other purposes whatsoever in relation to hops, as if the same clauses, powers, directions, penalties, and forfeitures, provisos, matters, and things were particularly repeated and again enacted in the body of this present act; and that all the monies which, from and after the said last day of *July* one thousand seven hundred and fifteen, shall arise of or for the said duty upon hops hereby granted or continued (except the necessary charges of raising and paying the same) shall likewise be brought and paid, from time to time, into the receipt of the Exchequer, for the purposes by this act appointed, and subject to such redemption as is by this act prescribed in relation thereunto.

VI. *And whereas by the said act of the ninth year of her said late Majesty's reign, intituled, An act for laying a duty upon hops; it is therein (among other things) enacted, That no person shall import, or cause to be imported into Ireland from Flanders, or any other parts whatsoever (other than from Great Britain) any hops whatsoever; nevertheless great quantities of foreign hops have been carried into Ireland, and there landed from Flanders, or other parts (other than from Great Britain) to the great prejudice of his Majesty's revenue, and discouragement of the trade of British hops: for prevention of the like abuses for the future; be it enacted by the authority aforesaid, That from and after the tenth day of September in the year of our Lord one thousand seven hundred and fifteen, the master of every ship or vessel, which shall carry any hops whatsoever to Ireland, shall take from the collector or comptroller of the port in Great Britain (where he shall lade any hops) a duplicate of his content in writing of all the hops taken or laden on board his ship or vessel, before he be permitted to sail out of the port, under the hand and seal of such collector or comptroller of the said port in Great Britain, which said duplicate shall be delivered to the master of every such ship or vessel; without fee or reward; and that every such master of such ship or vessel shall deliver, upon oath, such duplicate to the officer of the customs in such port in Ireland, where such ship or vessel shall arrive, and intends to unlade, before he be permitted to land any hops; and that in case any hops shall be unladen or landed in any part of Ireland, before such duplicate is produced to the officer, collector, or comptroller, as aforesaid, all such hops, and ten shillings for every pound weight of the same, shall*

9 Annz, c. 12.

After 10 Sept.
1715. master
of ship, carry-
ing hops to
Ireland, to
take a dupli-
cate of his
content from
the collector,
&c. in Eng-
land,

to be deliver-
ed to the pro-
per officer in
Ireland on
oath,

on forfeiture
of the hops,
and 10s. per
lb.

shall be forfeited; one moiety to his Majesty, his heirs and successors, the other moiety to the officer or officers, or any other person or persons who shall seize or sue for the same in any of his Majesty's courts of record in *Dublin*, to be recovered by action, bill, plaint or information, wherein no essoin, protection, privilege, or wager of law shall be allowed, or any more than one imparlance.

4 Ann. c. 6.

VII. *And whereas by an act of parliament made in the fourth year of the reign of her said late Majesty, intituled, An act for continuing an additional subsidy of tonnage and poundage, and certain duties upon coals, culm and cynders, and additional duties of excise, and for settling and establishing a fund thereby, and by other ways and means, for payment of annuities, to be sold for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and six, and other uses therein mentioned, a certain additional subsidy of tonnage and poundage, commonly called the one third subsidy, payable for and upon all wines, goods and merchandizes imported, and thereby granted for the term of ninety eight years, which commenced from the eighth day of March in the year of our Lord one thousand seven hundred and six, and the particular rates and duties of excise thereby granted for the term of ninety five years, from the seventeenth day of May one thousand seven hundred and thirteen, with other monies therein mentioned, are appropriated and made liable to the payment of certain annuities purchased thereupon, not exceeding one hundred eighty four thousand two hundred forty two pounds fourteen shillings per annum, for ninety nine years, reckoning from Lady-day one thousand seven hundred and six, and payable at the receipt of the Exchequer, and the overplus monies which might arise yearly upon that act, were afterwards enacted to be justly and duly computed at Lady-day yearly, or within six days after:* and by an act of parliament made in the fifth

5 Ann. c. 19.

year of her said late Majesty's reign, intituled, *An act for continuing the duties on low wines, and spirits of the first extraction, and the duties payable by hawkers, pedlars, and petty chapmen, and part of the duties on stamp vellum, parchment, and paper, and the late duties on sweets, and the one third subsidy of tonnage and poundage, and for settling and establishing a fund thereby, and by the application of certain overplus monies, and otherwise, for payment of annuities, to be sold for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and seven, and other uses therein expressed, certain duties upon low wines, and spirits of the first extraction, thereby continued from the three and twentieth day of June one thousand seven hundred and ten, for the term of ninety six years from thence next ensuing, and certain duties payable by hawkers, pedlars, petty chapmen, and others therein mentioned, and thereby continued for the like term of years, and such of the duties upon stamp vellum, parchment, and paper, as are therein mentioned, and thereby continued for the term of ninety six years, which commenced from the last day of July one thousand seven hundred and ten, and the duties upon sweets, thereby laid for the term of ninety nine years, from the four*
and

and twentieth day of March one thousand seven hundred and six, and the said subsidy called the one third subsidy, by the same act granted and continued for one whole year, to commence from the expiration of the said ninety-eight years therein granted by the said former act, and all the overplus monies of the subsidies, rates, duties, ^{4 Ann. c. 6.} and other monies contained in the said act of the fourth year of her said late Majesty's reign, after paying or reserving sufficient to pay so much as should be incurred or grown due upon the said annuities, by virtue of that act, at or before every feast of the annunciation of the blessed virgin Mary respectively (the necessary charges of paying and accounting for the same annuities purchased thereupon being excepted) are appropriated and made liable to the payment of certain annuities purchased upon the said act of the fifth year of her said late Majesty's reign, not exceeding in the whole ^{5 Ann. c. 19.} the sum of seventy-two thousand one hundred eighty-seven pounds ten shillings per annum for ninety-nine years, from the five and twentieth day of March one thousand seven hundred and seven, payable also at the said receipt of Exchequer: and thereby it was provided, that if at the end of any year of the said term of ninety-nine years, for which the said annuities upon the said act of the fifth year of her said late Majesty's reign were to be purchased (the first computation to be made at Lady-day one thousand seven hundred and eight, or within six days after) the monies arising at the Exchequer within such year by the said rates, duties, subsidies, overplus monies, and other monies thereby appropriated for payment of annuities pursuant to that act, should exceed all the monies then due for or upon the same annuities, and all arrearages thereof then incurred, the excess or surplus should be disposable from time to time for the publick use and service: and ^{6 Ann. c. 32.} by an act of parliament made in the sixth year of her said late Majesty's reign, intituled, An act for raising a further supply to her Majesty for the service of the year one thousand seven hundred and eight, and other uses, by sale of annuities, charged on a fund not exceeding forty thousand pounds per annum, to arise by appropriating several surplusses, and by granting further terms in the duties on low wines, and on hawkers, pedlars, and petty chapmen, the stamp-duties, the one third subsidy, the duty on sweets, and one of the branches of excise, and by making other provisions in this act mentioned, a certain fund or sum not exceeding forty thousand pounds per annum, is charged upon and payable out of all the overplus or surplus monies of the said rates, duties, subsidies and funds, settled for payment of the said several annuities, purchased upon the said several acts of the fourth and fifth years of her said late Majesty's reign respectively, which should from time to time remain, after satisfying or reserving in the Exchequer, sufficient to satisfy so much as shall be incurred or grown due, from time to time, upon those annuities, and every of them, and which by the said act of the fifth year of her said late Majesty's reign, were left ^{5 Ann. c. 19.} to be disposed, from time to time, for the publick use and service, as aforesaid, and is also charged upon, and payable out of all the overplus monies of the rates and duties of excise, granted by an act of parliament made in the fourth year of the reign of their late majesties

King

- 4 W. & M. c. 3.** *King William and Queen Mary, of glorious memory, intituled,* An act for granting to their Majesties certain rates and duties of excise upon beer, ale, and other liquors, for securing certain recompenses and advantages in the said act mentioned, to such persons as shall voluntarily advance the sum of ten hundred thousand pounds, towards carrying on the war against France, for the term of ninety-nine years, from the five and twentieth day of January one thousand six hundred ninety-two, and by that and other acts relating thereunto, made liable to the payment of annuities, with benefit of survivorship, and other annuities charged thereupon; which overplus of the rates and duties of excise last mentioned, is by the said
- 6 Ann. c. 5.** act of the sixth year of her said late Majesty's reign, directed to be computed on the twenty-fourth day of June yearly: and by the same act of the sixth year of her late Majesty's reign, the aforesaid duties upon low wines, or spirits of the first extraction, are continued from the expiration of the said term of ninety-six years before granted therein, for one whole year from thence next ensuing; and the said duties payable by hawkers, pedlars, petty chapmen, and others, as aforesaid, are continued from the expiration of the said term of ninety-six years before granted therein, for the like term of one year from thence next ensuing; and such of the duties upon vellum, parchment and paper as are therein mentioned, are continued from the expiration of the said term of ninety-six years before granted therein, for the like term of one whole year from thence next ensuing; and the said subsidy, called the one third subsidy (which was continued for one year from the expiration of a term of ninety-eight years, as aforesaid) is further continued from the expiration of the said one year, for one year more from thence next ensuing; and the said duty upon sweets made for sale, is continued from the expiration of the said term of ninety-nine years formerly granted therein, for the term of two years from thence next ensuing; and the rates and duties of excise last mentioned are continued from the expiration of the said term of ninety-nine years formerly granted therein, for the further term of fifteen years from thence next ensuing; and by the said act of the sixth year of her late Majesty's reign, it was enacted and declared, That the said overplus monies of the said rates, duties, subsidies and funds, settled for payment of the said several annuities purchased upon the said several acts of the fourth and fifth years of her said late Majesty's reign respectively, and the said overplus monies of the said rates and duties of excise, granted in the said fourth year of their said late Majesties reign, and the several grants made of the said duties upon low wines, or spirits of the first extraction, and of the said duties to be paid by hawkers, pedlars and petty chapmen, and of the said duties upon vellum, parchment and paper, and of the said additional subsidy, severally, for the further term of one year, as aforesaid, and of the said duties upon sweets for two years, and of the said particular rates of excise for fifteen years, as aforesaid, and other monies therein mentioned, or so much thereof as should be sufficient for making up the said fund, not exceeding forty thousand pounds per annum, are and shall be liable and appropriated thereunto, in order to answer the pay-
- 4 Ann. c. 6.**
5 Ann. c. 19.

ment of the annuities purchased on that act for ninety-nine years, reckoned from the five and twentieth day of March one thousand seven hundred and eight, payable likewise at the said receipt of Exchequer: and by the same act of the sixth year of her late Majesty's reign, it is provided, That if at the end of any year of the said term of ninety-nine years, for which the said annuities upon that act were to be purchased (the first computation to be made at Lady-day one thousand seven hundred and nine, or within six days after) the monies arising at the Exchequer within such year, by that act chargeable to make good the said yearly fund not exceeding forty thousand pounds (except as therein is excepted) should exceed all the monies which at every such feast-day should be due, for or upon the same annuities, and all arrearages thereof, so that there should be an excess or surplus remaining in the Exchequer, such excess or surplus should be disposable, from time to time, for the publick use and service, and not otherwise, as by the said several acts of the fourth, fifth and sixth years of her said late Majesty's reign (relation being thereunto respectively had) may more fully appear: now it is hereby further enacted and declared by the authority aforesaid, That all the surplus monies which, upon any computation or computations to be made after the twenty-ninth day of September in the year of our Lord one thousand seven hundred and fifteen, pursuant to the said annuity act of the sixth year of her late Majesty's reign, shall from time to time, or at any time or times, appear to be or remain in the said receipt of Exchequer, over and above so much as shall be sufficient to discharge all monies then incurred and grown due for or upon the said annuities and payments charged thereupon by the said several acts of the fourth, fifth and sixth years of her said late Majesty's reign, and over and above so much as pursuant to the true meaning of those acts, or any of them, is to be reserved for payment of any of the annuities thereupon purchased (which surplus monies were intended by the said act of the sixth year of her said late Majesty's reign, to be disposed, from time to time, for the publick use and service, and not otherwise) and all the arrears of the said duties and revenues charged with the said annuities and payments by the same acts of the fourth, fifth and sixth years of her late Majesty's reign, which shall or may arise by virtue of the grants thereof, for the several terms aforesaid, after all the annuities and payments charged thereupon, shall be expired, determined, and fully discharged and paid off, shall from time to time be set apart, and the same are hereby appropriated, and shall be issued and applied to and for the several uses and purposes in this present act declared of and concerning the same, and to none other use, intent or purpose whatsoever, subject nevertheless to such redemption as is herein after provided in that behalf.

All the surplus monies of the annuity acts 4, 5, 6 Ann. shall be appropriated for the uses of this act.

4 Ann. c. 6.
5 Ann. c. 19.
6 Ann. c. 5.

VIII. And whereas the duties and revenues contained in the said acts of the fourth, fifth and sixth years of her said late Majesty's reign, whereupon the said surplus or overplus monies are, from time to time, to arise for the uses and purposes in this act intended, are temporary, being

being granted only for such terms of years as are before-mentioned : now for the better establishing a sure and lasting fund to answer all the said uses and purposes hereby intended, subject nevertheless to such redemption as is hereby prescribed : be it further enacted by the authority aforesaid, That such or the like additional subsidy of tonnage and poundage, and other duties commonly called the one

The one third
subsidy 4 Ann.
c 6. continued
for ever.
5 Ann. c. 19.

6 Ann. c. 5.

Duties of ex-
cise, 4 Ann.
c. 6.

Duties on low
wines, &c.
5 Ann. c. 19.
1 Geo. 2. c. 16.

6 Ann. c. 5.

Duties on
hawkers and
pedlars, 5 Ann.
c. 19.
9 & 10 W. 3.
c. 27.

Duties on vel-
lum, &c.
5 Ann. c. 19.

third subsidy, which by the said act of the fourth year of her said late Majesty's reign, was granted or continued for the term of ninety-eight years, from the eighth day of March one thousand seven hundred and six, and by the said act of the fifth year of her said late Majesty's reign, was continued for one year, to take effect after the expiration of the said term of ninety-eight years, and by the said act of the sixth year of her late Majesty's reign was further continued for one year, to take effect after the expiration of the said term of one year last before-mentioned, shall after the expiration of the said several terms so granted therein, have further continuance, and be paid and payable to his Majesty, his heirs and successors for ever : and that such or the like rates and duties of excise, which by the said act of the fourth year of her late Majesty's reign were granted for the term of ninety five years, commencing from the seventeenth day of May one thousand seven hundred and thirteen, shall after the expiration of the said term of ninety-five years granted therein, have continuance, and be also paid and payable to his Majesty, his heirs and successors for ever : and that such and the like duties upon low wines, or spirits of the first extraction, as by the said act of the fifth year of her late Majesty's reign were granted and continued for the term of ninety-six years, from the three and twentieth day of June one thousand seven hundred and ten, and by the said act of the sixth year of her late Majesty's reign were continued for one year, to take effect after the expiration of the term of ninety-six years last mentioned, shall after the expiration of the said several terms so granted therein, have further continuance, and be likewise paid and payable to his Majesty, his heirs and successors for ever : and that all and every such and the like duties and sums of money to be paid by every hawker, pedlar, petty chapman, and others described in a former act of parliament for licensing hawkers and pedlars, and all the powers for granting such licences, which by the said act of the fifth year of her late Majesty's reign were granted for the term of ninety-six years, from the three and twentieth day of June one thousand seven hundred and ten, and by the said act of the sixth year of her late Majesty's reign were continued for one year, to take effect after the expiration of the term of ninety-six years last mentioned, shall after the expiration of the said several terms so granted therein, have further continuance, and be also paid and payable to his Majesty, his heirs and successors for ever : and that such of the duties upon vellum, parchment and paper, as by the said act of the fifth year of her late Majesty's reign were continued for the term of ninety-six

years,

years, from the last day of *July* one thousand seven hundred and ten, and by the said act of the sixth year of her late Majesty's reign were continued for one year, to take effect after the expiration of the term of ninety-six years last mentioned, shall after the expiration of the said several terms so granted therein, have further continuance, and be paid and payable to his Majesty, his heirs and successors for ever: and that the duties upon sweets made for sale, which by the said act of the fifth year of her said late Majesty's reign were granted for the term of ninety-nine years, from the four and twentieth day of *March* one thousand seven hundred and six, and by the said act of the sixth year of her late Majesty's reign were continued for two years, to take effect after the expiration of the term of ninety-nine years last mentioned, shall after the expiration of the said several terms so granted therein, have further continuance, and be paid and payable to his Majesty, his heirs and successors for ever: and that the several rates and duties of excise, which by the said act of the fourth year of the reign of their late majesties King *William* and Queen *Mary*, were granted for the term of ninety-nine years, from the five and twentieth day of *January* one thousand six hundred ninety-two, and were by the said act of the sixth year of her late Majesty's reign continued for the term of fifteen years, to take effect after the said ninety-nine years last mentioned, shall, after the expiration of the several terms so granted therein, have further continuance, and be paid and payable to his Majesty, his heirs and successors for ever: and that the said several subsidies, rates and duties by this act made perpetual, as aforesaid, when and as the same respectively shall take effect, by virtue of this act, shall be raised and levied by such rules and methods, and under such penalties and forfeitures, and with such distribution of the same penalties and forfeitures, and subject to such power of mitigation, and with such respective drawbacks, allowances and repayments, and in such manner and form, as the like duties granted or continued by the said former acts now in being respectively are prescribed, enacted or appointed to be raised or levied.

Duties on sweets, 5 Ann. c. 29.

Duties of excise, 4 & 5 W. & M. c. 3.

6 Ann. c. 5.

IX. And it is hereby declared, That where any of the above-mentioned duties now in being, or any proportions thereof, do extend to that part of *Great Britain*, called *Scotland*, by virtue of any of the acts which granted the same, or by virtue of the late act of union, in all such cases the same respective duties hereby intended to be made perpetual, shall be understood to extend to *Scotland* in like manner.

Which of the said duties shall extend to Scotland.

X. Provided always, and it is hereby enacted, That in all cases where any further or other provision or alteration is made by any other act or acts of parliament now in being, touching or concerning any the subsidies, rates or duties, which were granted for certain terms, as aforesaid, such other provisions and alterations shall be observed and take place, in relation to the like subsidies, rates and duties by this act intended to be made perpetual.

All further provisions by acts of parliament to take place.

XI. And

The money to be brought in to the Exchequer.

XI. And be it enacted by the authority aforesaid, That all the monies to arise by the said subsidies, rates and duties by this act made perpetual, as aforesaid, when and as the same respectively (after the expiration of the respective terms formerly granted as aforesaid) shall take effect, by virtue of this present act (the necessary charges of raising the same excepted) shall likewise, from time to time, be brought into the said receipt of Exchequer, for the uses and purposes in this act expressed; nevertheless the said duties and revenues hereby made perpetual, and the application thereof to the uses and purposes by this act intended, shall be subject and liable to such redemption as is herein after prescribed in that behalf.

§ 6 W. & M. c. 20.

XII. And whereas by an act of parliament made in the fifth year of the reign of their said late majesties King William and Queen Mary, intituled, An act for granting to their Majesties several rates and duties upon tonnage of ships and vessels, and upon beer, ale, and other liquors, for securing certain recompences and advantages in the said act mentioned, to such persons as shall voluntarily advance the sum of fifteen hundred thousand pounds towards carrying on the war against France, certain other rates and duties of excise were granted to their Majesties, their heirs and successors for ever, and the monies arising thereupon as thereby directed to be divided into five seventh parts, and two seventh parts, and by virtue of that and other acts in that behalf, the said five seventh parts are liable to answer the original fund of one hundred thousand pounds per annum to the said governor and company, and their successors, subject to such redemption as is provided for the same by laws now in force; and the said two seventh parts are liable to answer certain annuities for lives charged thereupon, and the said five seventh parts, and two seventh parts have respectively produced, and are like to produce yearly more than sufficient to answer the said original fund, and all the annuities or payments by any act or acts of parliament charged thereupon respectively; and the overplus monies last mentioned are computable on the first day of June yearly; be it further enacted by the authority aforesaid, That all the overplus monies of the said five seventh parts, and two seventh parts, which upon any computation or computations to be duly made, after the said twenty-ninth day of September in the year of our Lord one thousand seven hundred and fifteen, shall from time to time, or at any time or times, appear to be or remain in the said receipt of Exchequer; that is to say, of the said five seventh parts (over and above so much as shall be sufficient to discharge all the monies then incurred and grown due for or upon the said original fund of one hundred thousand pounds per annum) and of the said two seventh parts (over and above so much as shall be sufficient to discharge all monies then incurred and grown due for the said annuities or payments charged thereupon, or necessary to be reserved for that purpose) and all the monies which shall arise by the said five seventh parts of the said excise, after redemption of the said original fund of one hundred thousand pounds per annum, in case it shall be redeemed before all the uses and purposes intended

The overplus of § 6 W. & M. c. 20. appropriated for the uses of this act.

tended by this act shall be satisfied, and all the monies which shall arise by the said two seventh parts of the excise, after all the annuities for lives and other payments charged thereupon shall be determined, and fully discharged, shall also, from time to time be set apart, and the same are hereby appropriated, and shall from time to time, be issued and applied to and for the several uses, intents and purposes in this act expressed, and to none other use, intent or purpose whatsoever, subject nevertheless to such redemption as is hereby prescribed.

XIII. And it is hereby further enacted by the authority aforesaid, That all other publick monies which, from and after the said feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, shall come and be brought into the said receipt of Exchequer, not being appropriated or appointed to any use or uses, by any act or acts of parliament made or to be made, and not being monies arising from any branch or branches of revenue, appointed or to be appointed for the service of his Majesty's civil government, or the expences thereunto belonging, shall likewise be set apart, issued and applied, to and for the uses and services in and by this present act declared and intended, and to no other use or purpose whatsoever.

All publick monies not appropriated shall be applied to the uses of this act.

XIV. Provided always, and it is hereby enacted and declared by the authority aforesaid, That nothing in this act contained shall hinder or obstruct, or be construed to hinder or obstruct, the making good any deficiency or deficiencies, which at any time or times shall happen of or in the yearly fund of one hundred and sixteen thousand five hundred seventy-three pounds twelve shillings, mentioned in an act of parliament of the first year of his Majesty's reign, intituled, *An act for rectifying mistakes in the names of the commissioners for the land-tax for the year one thousand seven hundred and fourteen; and for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery for the publick service in the said year,* but that every such deficiency shall and may be made good, and satisfied out of any publick unappropriated monies, as if this act had never been made; any thing herein contained to the contrary notwithstanding.

Proviso for the deficiencies of the act: Geo. 1.

1 Geo. 1. Stat. 1. c. 2.

XV. And be it enacted and declared by the authority aforesaid, That all the said subsidies, duties and revenues, which by the said act of the twelfth year of her said late Majesty's reign, were appropriated for paying of interest and allowances relating to the Exchequer-bills, issued upon that and the said former acts in that behalf, or towards cancelling the same, and all arrears thereof, and the several additional revenues and incomes by this act granted or continued, for the uses and purposes hereafter in and by this act expressed or intended, and all surplus monies; arrears, and other monies whatsoever by this act directed to be brought into the receipt of Exchequer, or to be set apart or applied to or for the same uses and purposes, as aforesaid, and likewise the overplus monies of the yearly sum of seven hundred

The several subsidies, &c. shall be one aggregate fund, for the purposes of this act.

12 Ann. Stat. 1. C. 11.

Made perpetual by 3 Geo. 1.

c. 8. s. 17.

thousand pounds herein after-mentioned, from time to time arising, are and shall be one general or aggregate fund and security for satisfying and paying all monies which are, and from time to time shall be incurred and grown due or payable for interest, after the rates of two pence *per centum per diem*, and for the said allowance of three pounds *per centum per annum*, for all the Exchequer-bills abovementioned, or such of them as shall from time to time be uncanceled or undischarged; and all the monies which are or shall be grown due, from time to time, upon the said sums of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*, for so long time as those yearly sums are to continue or be payable; and for supplying to his Majesty during his life (which God long preserve) the yearly sum of one hundred and twenty thousand pounds, from the feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and fifteen, by quarterly payments, at the four most usual feasts of the year, by equal portions, or within ten days after every such feast-day, for the service of his Majesty's household and family, and other his necessary expences and occasions; and also for supplying the further yearly sum of fifty-four thousand six hundred pounds for ever, by like quarterly payments, to commence from the said feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and fifteen, in order to raise any sum or sums of money thereupon, not exceeding nine hundred and ten thousand pounds, for publick services, and for making good any such deficiencies as shall or may happen, as aforesaid, and likewise for or towards furnishing the said yearly sum of two hundred and seventy thousand nine hundred ninety-nine pounds and seven shillings, for paying off and cancelling the said bills, all which is to be done in such order, manner and form, as are herein after prescribed: and that such of the said subsidies, duties, revenues, additional revenues, surplus monies, remains and arrears, as are already commenced or arisen, and the residue thereof, as they shall arise and take effect, shall be and are by this act appropriated, and shall be applied thereunto accordingly; any other act or acts of parliament, or other matter or thing whatsoever to the contrary in any wise notwithstanding.

The allowan-
ces of 3l. per
cent. per ann.
shall be paid
to the bank
weekly.

XVI. And it is hereby declared and enacted by the authority aforesaid, That the said allowances, after the rate of three pounds *per centum per annum*, and all arrears thereof, shall from time to time be paid and satisfied at the receipt of Exchequer to the said governor and company and their successors, weekly, or as soon as the same can be satisfied, out of the monies of the said general or aggregate fund arising by the said duties and revenues thereof, already commenced, or hereafter to commence, or come in, as aforesaid, or by any of them, so as by such weekly or other payments, the whole of the said allowances, after the rate of three pounds *per centum per annum*, due to the said governor and company, and their successors, at the end of each quarter (reckoning the quarter to terminate at the four most

usual feasts of the year respectively) be not exceeded; and that the commissioners of the treasury, or any three or more of them, or the lord treasurer for the time being, shall, and they are hereby impowered and directed, out of the monies of the said general or aggregate fund, arising by the said duties and revenues already commenced, or hereafter to commence, or come in, as aforesaid, or by any of them, to issue unto such person or persons, as the said commissioners of the treasury, or lord treasurer do or shall think fit to intrust in that behalf, and upon security given or to be given, to the good liking of the said commissioners of the treasury, or lord treasurer, such sum and sums of money, by way of imprest, and upon account, from time to time, and by such proportions at a time, as the same commissioners or lord treasurer shall find necessary for discharging all the interest, after the rate of two pence *per centum per diem*, which is and shall from time to time be due or demandable upon the said Exchequer-bills made forth upon the acts aforesaid, or any of them, the said interest to be discharged at such time, and in such manner and form, as by the said former acts, or any of them, were prescribed in that behalf.

And the 2 d. per cent. per diem, to such person as the treasury intrust, by way of imprest, &c.

XVII. And be it further enacted by the authority aforesaid, That after paying or reserving sufficient to pay or satisfy, from time to time, so much as is or shall be grown due or demandable for the said allowance of three pounds *per centum per annum*, and interest of two pence *per centum per diem*, then the monies which are or shall, from time to time, be grown due to the said governor and company, and their successors, upon their said other allowances of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*, during so long time as those allowances are to continue, as aforesaid, shall quarterly at the respective days and times before appointed for payment thereof, be paid and satisfied to the said governor and company, and their successors, at the receipt of the Exchequer, weekly, or as soon as the same can be satisfied, out of the monies of the said general or aggregate fund, arising or to arise by the said duties and revenues already commenced, or hereafter to commence or come in, as aforesaid, so as by such weekly or other payments, the sums to be due to the said governor and company, or their successors, upon their allowances last mentioned, at the end of each quarterly day of payment thereof, be not exceeded.

After satisfying the said allowances, then the 45,000l. and 8000l. per ann. to be paid to the bank.

XVIII. And it is hereby enacted, That after paying or reserving sufficient to pay and satisfy, from time to time, so much as is or shall be grown due or demandable for the said allowance of three pounds *per centum per annum*, and interest of two pence *per centum per diem*, and the said allowances of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*, then the said yearly sum of one hundred and twenty thousand pounds for the service of his Majesty's household and family, and other his necessary expences and occasions, shall grow due and be payable to his Majesty quarterly, from the said feast of Saint Michael the archangel in the year of our Lord one thou-

After that the yearly sum of 120,000l. shall be paid for the civil list.

and seven hundred and fifteen, at the four most usual feasts in the year, by equal portions, during his Majesty's natural life, as aforesaid, out of the monies of the said general or aggregate fund, arising or to arise by the said duties or revenues already commenced, or hereafter to come in, as aforesaid; and that the commissioners of his Majesty's treasury, or lord treasurer, and under-treasurer of the Exchequer, for the time being, shall and may, and they are hereby authorized and required to cause the said yearly sum of one hundred and twenty thousand pounds to be issued and applied, weekly, or as soon as the same can be satisfied, in the order and course aforesaid, for the same services, out of the said monies of the said general or aggregate fund, or any of them, so as by such weekly or other payments, the sum of thirty thousand pounds to be due thereupon at the end of each quarter be not exceeded.

After that, the yearly sum of 54,600*l.* shall be set apart to answer the perpetual annuities.

XIX. And be it further enacted by the authority aforesaid, That after paying or reserving sufficient to pay and satisfy, from time to time, so much as is or shall be grown due or demandable for the said allowance of three pounds *per centum per annum*, and the interest of two pence *per centum per diem*, and the said allowances of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*, and for or upon the said sum of one hundred and twenty thousand pounds *per annum*, then the said sum of fifty-four thousand six hundred pounds *per annum*, from the feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, for ever, shall at the said four usual feasts in the year, by equal portions, without any deduction or abatement, be separated and set apart in the said receipt of Exchequer, out of the monies of the said general or aggregate fund, arising and to arise by the said duties or revenues already commenced, or hereafter to come in, as aforesaid, and shall, from time to time, be issued and applied to answer and satisfy such perpetual annuities as shall be purchased thereupon, after the rate of six pounds *per centum per annum*, subject nevertheless to redemption by parliament, according to the true intent and meaning of such act or acts of parliament, as is, are, or shall be passed, for raising thereupon any sum or sums of money not exceeding the said sum of nine hundred and ten thousand pounds, for the service of the publick.

The several preferences.

XX. And it is hereby declared to be the true intent and meaning of this act, That the said allowance after the rate of three pounds *per centum per annum*, and the said payments for interest, shall from time to time take place, and be preferred in point of payment, out of the said general or aggregate fund hereby established, before the said yearly sums of forty-five thousand and eight thousand pounds, or either of them; and that the said yearly sums of forty-five thousand pounds, and eight thousand pounds, shall from time to time take place, and be preferred in point of payment, before the said yearly sum of one hundred and twenty thousand pounds; and that the said yearly sum

sum of one hundred and twenty thousand pounds shall from time to time take place, and be preferred in point of payment, out of the said general fund, before the said yearly sum of fifty-four thousand six hundred pounds; and that the said yearly sum of fifty-four thousand six hundred pounds shall from time to time take place, and be preferred before any sums herein after mentioned, for making good deficiencies (when any such shall happen) of or in other funds of the said governor and company, and before the yearly sum herein after mentioned, for cancelling and discharging the said Exchequer-bills.

XXI. Provided always, and be it enacted by the authority How the deficiencies shall be made good. *How the deficiencies shall be made good.* *That after paying or reserving sufficient to pay and satisfy, from time to time, so much as is or shall be grown due or demandable for the said allowance of three pounds per centum per annum, and interest of two pence per centum per diem, and the said allowances of forty-five thousand pounds per annum, and eight thousand pounds per annum, and for and upon the said yearly sums of one hundred and twenty thousand pounds per annum, and fifty-four thousand six hundred pounds per annum, then the said deficiency and deficiencies for making good the payments, to be from time to time incurred and grown due, for or upon the said yearly sums of one hundred thousand pounds, and one hundred and six thousand five hundred and one pounds thirteen shillings and five pence, and either of them (when and as often as any such shall happen) shall from time to time be satisfied and answered out of the monies of the said general or aggregate fund, arising or to arise by the said duties or revenues already commenced, or hereafter to come in, as aforesaid; and the commissioners of the treasury, or the lord treasurer, and under-treasurer of the Exchequer for the time being, are hereby authorized and required to cause every such deficiency or deficiencies so happening, to be satisfied and paid accordingly, with preference to any issues then to be made for cancelling the said bills, which deficiencies (if any such be) shall be annually computed at the Exchequer, from the produce of the said respective revenues there (to wit) the deficiency of the said original fund on the first day of June yearly, and the deficiency of the annuity last mentioned at Michaelmas yearly.*

XXII. Provided also, and it is hereby enacted, *That after paying or reserving sufficient to pay and satisfy, from time to time, so much as is or shall be grown due or demandable for the said allowance of three pounds per centum per annum, and interest of two pence per centum per diem, and the said sums of forty-five thousand pounds per annum, eight thousand pounds per annum, one hundred and twenty thousand pounds per annum, and fifty-four thousand six hundred pounds per annum, and so much as shall be demandable by virtue of this act, to make good such deficiency and deficiencies, as aforesaid, (all which are always to be preferred, as aforesaid) then the said full and entire yearly sum of two hundred and seventy thousand nine hundred ninety-nine pounds seven shillings, or so much thereof,*

How the principal money of the Exchequer bills shall be paid off.

as the remainder of the monies of the said general or aggregate fund, arising or to arise by the said duties or revenues already commenced, or hereafter to come in, as aforesaid, shall from time to time produce for that purpose, shall be, and is by this act appropriated for paying off all the principal money contained in all and every the said Exchequer-bills made forth upon the acts aforesaid, or any of them, and for cancelling the same, until all the said bills shall be discharged and cancelled, and shall be issued and applied to and for that use and purpose, in such manner as the commissioners of the treasury, or lord treasurer for the time being, shall from time to time direct and appoint in that behalf; and that the issues thereof shall be made quarterly, or oftner, so as by the payments within any quarter, the fourth part of the yearly sum last mentioned for that quarter be not exceeded.

Overplus of
any year dis-
posable by par-
liament.

XXIII. Provided also, and it is hereby enacted by the authority aforesaid, That in case the produce of the said general or aggregate fund, to arise by all or any the subsidies, duties and revenues hereby appropriated for all the purposes aforesaid, shall at the end of any year, reckoning from the said feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, exceed all the money due at the end of every such year for all the purposes aforesaid, so that there shall be an excess or surplus of the said general fund, such excess or surplus shall be disposable, from time to time, for the publick use and service by authority of parliament, and not otherwise; any thing herein, or in any other act or acts of parliament contained to the contrary notwithstanding.

Deficiency to
be made good
by parliament.

XXIV. Provided also, and it is hereby enacted by the authority aforesaid, That in case the produce of the said general or aggregate fund, to arise by all or any the subsidies, duties and revenues hereby appropriated for all the purposes aforesaid, shall at any time or times appear to be so deficient, that within any one year, reckoning from the said feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, the same shall not be sufficient to answer and satisfy the said several and respective purposes to which the same is hereby intended to be applied, Then and in every such case, and as often as any such deficiency of the said general fund shall happen, the same shall be provided for, answered and made good by and out of the next aids to be granted in parliament.

Overplus of
700,000l for
the civil list,
shall be part of
the aggregate
fund. 1 Geo. 1.
stat. 1. c. 1.

XXV. Provided also, and it is hereby enacted by the authority aforesaid, That if the revenues settled or appointed for the service of his Majesty's household, and of the honour and dignity of his crown, by the late act of parliament of the first year of his Majesty's reign, intituled, *An act for the better support of his Majesty's household, and of the honour and dignity of the crown of Great Britain*, together with the said additional revenue of one hundred and twenty thousand pounds *per annum*, intended by this act to be supplied, as aforesaid, shall from the said feast of Saint Michael the archangel in the year of our Lord one thou-

land

and seven hundred and fifteen, at any time during his Majesty's life, produce in clear money more than the yearly sum of seven hundred thousand pounds, that then the overplus of such produce (being more than the said yearly sum of seven hundred thousand pounds) shall go to, and be deemed and taken to be part of the general or aggregate fund by this act intended to be established for the several purposes aforesaid, and be appropriated, issued and applied accordingly, till all the said Exchequer bills shall be paid off and cancelled; and from and after the cancelling and discharging of all the said Exchequer-bills, then the said overplus which from thenceforth shall arise, exceeding the said yearly sum of seven hundred thousand pounds, shall not be issued, disposed, made use of, or applied to any use or purpose, or upon any pretext whatsoever, without the authority of parliament; and that all grants and dispositions whatsoever hereafter to be made by his Majesty of such overplus, or any part thereof, from time to time, without authority of parliament, shall be utterly void and of none effect; and the grantees, or other persons to whom such grants or dispositions, or any of them, shall be made of such overplus, or any part thereof, shall be adjudged incapable in law to take, hold, keep, detain, or enjoy the same; any law, custom or usage to the contrary notwithstanding.

All grants of such overplus, without authority of parliament, void.

XXVI. Provided also, and it is hereby enacted by the authority aforesaid, That if the said revenues settled or appointed for the service of his Majesty's household, and of the honour and dignity of the crown, by the said act of the first year of his Majesty's reign, and the said additional revenue of one hundred and twenty thousand pounds *per annum*, taken together, shall at the end of any year successively during his Majesty's life, reckoning the first year from the said feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, appear to have produced in clear money, less than the said sum of seven hundred thousand pounds for that year respectively, then and in every such case, as often as any such deficiency shall happen, the same shall be provided for, answered, and made good by and out of the next aids to be granted in parliament.

Deficiency to be made good out of the next aids. 1 Geo. 1. stat. 2. c. 1.

XXVII. And it is hereby enacted, That the sum of seventy-seven thousand six hundred ninety-four pounds one shilling and seven pence, of publick unappropriated monies, which was brought into the said receipt of Exchequer before the twelfth day of June one thousand seven hundred and fourteen, and now remaining there, be applied towards defraying his Majesty's extraordinary expences relating to the civil government, from the time of his accession to the throne, until the said feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifteen.

77,694l. 1s. 7d. in the Exchequer before 12 June 1714. shall be applied to defray the civil list till Mich. 1715.

XXVIII. And be it further enacted by the authority aforesaid, That the said former acts above-recited or mentioned, and every of them, and all the powers, authorities, privileges, advantages

All the powers in the recited acts to be in force during this act.

vantages and exemptions, and all rules, directions and precepts, and all pains of death, and other penalties and forfeitures, clauses, matters and things, in them or any of them contained (being now in force) touching or concerning the said Exchequer-bills, issued as aforesaid, or the circulating or exchanging the said bills, or any of them, or touching or concerning any the subsidies, duties, or funds in the said acts, or any of them mentioned, or any way relating thereunto (such alterations as are therein made by this act only excepted) shall continue, and be used, exercised, inflicted, raised, levied, applied, and put in practice and execution, in relation to all and every the said Exchequer-bills, and in relation to the subsidies, duties, and funds settled by this and the said former acts, as fully as if the said powers, authorities, privileges, advantages, exemptions, rules, directions, precepts, pains of death, and other penalties and forfeitures, clauses, matters and things (except as aforesaid) were repeated and again enacted in the body of this present act; and that the said governor and company, or any the members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

The bank established.

XXIX. And it is hereby enacted and declared, That the governor and company of the bank of *England*, and their successors, shall continue a corporation, with all the powers, privileges and advantages thereunto belonging, until all the said Exchequer-bills, issued by virtue of the said acts, or any of them, shall be discharged and cancelled, notwithstanding the redemption of their other funds, in pursuance of the acts by which the same are established, or any of them; any thing in this or the said other acts contained to the contrary notwithstanding.

When the aggregate fund shall be understood to be redeemed by parliament.

XXX. Provided always, and it is hereby further enacted by the authority aforesaid, That from and after the complete paying off and discharging all the principal and interest which shall be due upon all the said Exchequer-bills, issued as aforesaid, and cancelling the same, and full payment made of all arrears (if any shall be then due) as well for and upon the said allowance after the rate of three pounds *per centum per annum*, and for and upon the said yearly sums of forty-five thousand pounds, eight thousand pounds, one hundred and twenty thousand pounds, and fifty-four thousand six hundred pounds, and every of them, as also of such deficiency or deficiencies as shall then appear to be unsatisfied (if any such be) for or upon the said original fund of one hundred thousand pounds *per annum*, and for and upon the said annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence *per annum*, then, and not till then, the said general or aggregate fund by this act established, or intended to be established, for the several purposes aforesaid, and the said subsidies, duties and revenues, contained or to be contained therein, and every of them, shall be understood to be redeemed by parliament, and shall not be issued, paid or applied, to any use, intent or purpose whatsoever, without the authority of parliament, other

other than and except the said duties called, the two thirds of a subsidy of tonnage and poundage upon goods and merchandizes imported, and other than and except the said duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, pictures and muslins, and other than and except the said increased duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace and pictures, and other than and except the said farther rates and duties upon all white callicoos, porcelain called china ware, and drugs; all which said subsidies and duties so excepted, are intended to be continued, and are hereby enacted to be continued, for answering and paying out of the same all the payments which shall after such redemption grow due for and upon the said yearly sum of one hundred and twenty thousand pounds, by quarterly payments, for the service of his Majesty's household and family, and other his necessary occasions, during his Majesty's life, and also for answering and paying out of the same excepted subsidies, and other duties, all the payments which shall after such redemption grow due for or upon the said yearly sum of fifty-four thousand six hundred pounds, for payment of the said annuities to be purchased, as aforesaid, which annuities are to continue for ever, unless the same be redeemed by parliament, according to the tenor and true meaning of the said other act or acts of parliament passed or to be passed in that behalf; and the said excepted subsidies and duties so to be continued for answering the payments of the said yearly sums of one hundred and twenty thousand pounds, and fifty-four thousand six hundred pounds, or so much thereof as shall be sufficient to pay the same, are and shall be appropriated, issued, and applied thereunto, during the continuance of the same yearly sums respectively; any thing herein contained to the contrary notwithstanding.

Exception.

XXXI. And it is hereby declared to be the true intent and meaning of this act, That the said general fund by this act established for the several purposes aforesaid, and all the said subsidies, duties and revenues comprehended, or intended to be comprehended therein (except before excepted) may be redeemed in the manner and form prescribed in and by the foregoing proviso and condition, without redeeming the said original fund of one hundred thousand pounds *per annum* of the said governor and company, or their said annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence *per annum*, which original fund and annuity respectively shall and may be redeemed upon such notice, and in such manner and form, and upon such terms and conditions, as are prescribed by the respective acts of parliament now in force concerning the same, and not otherwise; any thing herein contained to the contrary in any wise notwithstanding.

This fund may be redeemed without redeeming the original bank fund.

XXXII. Provided also, and it is hereby enacted, That from and after the redemption of the said original fund of one hundred thousand pounds, After redemption of the original fund,

Sec. bank to
cease.

sted thousand pounds *per annum*, and of the said annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence *per annum*, and from and after redemption shall likewise be made of the general fund established by this act for the several purposes aforesaid, (except before excepted) then, and not till then, the said corporation of the governor and company of the bank of England shall cease and determine; but till then the said governor and company shall continue a corporation, and shall have and enjoy all the powers and privileges they are entitled to, as aforesaid.

Deficiency on
the hop act to
be made good.

XXXIII. Provided also, and it is hereby enacted, That so much of the sum of one hundred and eighty thousand pounds, which was borrowed on the said former act, which laid a duty on hops for four years, and the interest thereof, as is deficient and remains unpaid, shall be satisfied out of the said sum, not exceeding nine hundred and ten thousand pounds, to be raised as aforesaid.

5 Ann. c. 4.

XXXIV. And whereas in and by an act of parliament passed in the fifth year of her late Majesty's reign, intituled, An act for settling upon John duke of Marlborough, and his posterity, a pension of five thousand pounds *per annum*, for the more honourable support of their dignities, in like manner as his honours and dignities, and the honour and manor of Woodstock, and house of Blenheim, are already limited and settled, amongst other recitals therein, it was recited, That her Majesty was graciously

Clause for sa-
tisfying an ar-
rear for work,
&c. at Blen-
heim, whilst
carried on
at the expence
of her late
Majesty.

pleased, at her own expence, to erect the house of Blenheim, as a monument of the glorious actions of the said duke: and whereas also the building of the house of Blenheim, and making the gardens and other conveniencies thereunto belonging, were begun and carried on accordingly, at the expence of her said late Majesty, until the works thereof ceased; the charge of which said building and works, so far as the same were carried on (except the debts remaining unsatisfied to artificers and others) was born by her Majesty out of the revenues which were appointed for the uses of her civil government: and whereas by an act of parliament made and passed in the twelfth year of the reign of her said late Majesty, she was enabled to raise five hundred thousand pounds on the revenues appointed for the uses of her civil government, to be applied for or towards the payment of such debts and arrears owing to her servants, tradesmen, and others, as are therein mentioned; by which act it was provided and enacted, That the said sum of five hundred thousand pounds should be applied and disposed in aid of the revenues or branches which were appointed for support of her Majesty's household, and of the honour and dignity of the crown, for or towards the paying and discharging such arrears and debts, as aforesaid: Nevertheless for the clearing of any doubt that may arise, whether the debts which incurred and became due, and now remain unsatisfied to artificers and others, for work performed and materials delivered, for or upon account of the building and works aforesaid, whilst the same were carried on, as aforesaid, ought to be paid and satisfied by and out of the arrears of her Majesty's said revenues, due at the time of her demise, and the monies

12 Ann. stat.,
c. 12.

now

now remaining of the sum by the last above recited act authorized to be raised; it is hereby declared, That all the debts which were actually incurred and grown due, and now remain unsatisfied to artificers and others for work performed, and materials delivered for or upon account of the said building, and other works at *Blenheim*, on or before the first day of *June* in the year of our Lord one thousand seven hundred and twelve (when her Majesty first caused the payments on account of the said building to be stopped) ought to be, and the same are hereby accordingly directed and enacted to be paid out of the monies now remaining of the aforesaid sum by the last recited act authorized to be raised, and out of the arrears of the said revenues granted to her Majesty for the uses of her civil government, as aforesaid, due at the time of her demise, in such and the like manner, and by such proportions only, as other her Majesty's debts are or ought to be paid and satisfied.

CAP: XIII.

An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late Princess Sophia, being protestants; and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors.

WHEREAS by an act made in the twelfth year of the reign of his late majesty King William, of glorious and immortal memory, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject; it was enacted, That the crown and regal government of the kingdoms of England, France, and Ireland, and the dominions thereunto belonging, with the royal state and dignity of the said realms, and all honours, styles, titles, regalities, prerogatives, powers, jurisdictions and authorities, to the same belonging and appertaining, after the decease of his said Majesty, and of the princess Anne of Denmark, and in default of issue of the said princess Anne of Denmark, and of his said Majesty respectively, should be, remain, and continue to the most excellent princess Sophia, electress and dutchess dowager of Hanover, daughter of the most excellent princess Elizabeth, late Queen of Bohemia, daughter of our late sovereign lord King James the First; and the heirs of the body of the said princess Sophia, being protestants: and whereas also an act was made in England in the thirteenth and fourteenth years of the reign of the said King William, intituled, An act for the further security of his Majesty's person, and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors, whereby, among other things, it was provided, That all and every person and persons, mentioned in the said last recited act, should take the oath therein mentioned, and subscribe the same, in the manner, at the times and places, and under the pains and penalties therein expressed; and upon the demise of his late majesty King William,

there

Reciting 12 &
13 W. 3. c. 2.13 & 14 W. 3.
c. 6.

- 1 Ann. stat. 1. *there was another act made in the first year of her late majesty Queen Anne, intituled, An act to declare the alterations in the oath appointed to be taken by the act, intituled, An act for the further security of his Majesty's person, and the succession of the crown in the protestant line; and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors; and for declaring the association to be determined; and for the same end there was another act passed in the fourth year of her said late majesty Queen Anne, intituled, An act for the better security of her Majesty's person and government, and of the succession to the crown of England in the protestant line: and whereas by the treaty of union, and second article thereof, it is provided, That the succession to the monarchy of the united kingdom of Great Britain, and of the dominions thereunto belonging, after her said late most sacred majesty Queen Anne, and in default of issue of her said Majesty, should be, remain, and continue to the most excellent princess Sophia, electress and dutchess dowager of Hanover and the heirs of her body, being protestants, upon whom the crown of England stood settled by the aforesaid act, made in England in the twelfth year of the reign of his late majesty*
- 4 Ann. c. 8. *King William; pursuant to which treaty and state of union, there were sundry acts made in the reign of her said late majesty Queen Anne, for taking certain oaths and declarations for security of her Majesty's person and government, and settling the crown in the protestant line: and whereas the said pretended prince of Wales hath assumed the stile and title of James the Third, King of England, Scotland and Ireland, in open defiance of the provisions made for the establishment of the title and succession of the crown by the said acts of parliament, on which said acts the safety of your Majesty's royal person and government, the continuance of the monarchy of Great Britain, the preservation of the protestant religion, the maintenance of the churches of England and Scotland, as by law established, the security of the ancient and undoubted rights and liberties, and the future peace and tranquillity of this kingdom do (under God) entirely depend: and whereas the said pretended prince of Wales, since the demise of the late Queen, in prejudice of your Majesty's just rights and title to the imperial crown of these realms, has continued to assume the said name and title of James the Third, King of England, Scotland and Ireland, in manifest violation of your Majesty's most lawful and rightful title to the crown, and of the acts and treaty above-mentioned, made for settling, and further security of the same, and for extinguishing the hopes of him the said pretender, and of all other pretenders, and their open and secret abettors: and whereas also several wicked and evil-minded persons have, even since your Majesty's happy accession to the throne, in riotous, seditious, and treasonable manner, taken upon them to give to the said pretended prince of Wales the aforesaid name and title: to the intent therefore the said acts may be for ever inviolably preserved, and that all future questions and divisions, by reason of any pretended titles to the crown, may be prevented, we your Majesty's most dutiful and loyal subjects, the lords spiritual and temporal and commons, in this present parliament assembled, do*
- 21 & 13 W. 3. *humblly*

humbly beseech your most excellent Majesty, that it may be enacted; All officers, civil or military, &c.
 and be it enacted by the King's most excellent majesty, by, and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That all and every person and persons, as well peers as commoners, that shall bear any office or offices, civil or military, or shall receive any pay, salary, fee or wages, by reason of any patent or grant from his Majesty, or shall have command or place of trust from or under his Majesty, or from any of his Majesty's predecessors, or by his, her, or their authority, or by authority derived from him, her, or them, within Great Britain, or in his Majesty's navy, or in the several islands of Jersey and Guernsey, or shall be of the household, or in the service or employment of his Majesty, or of his royal highness George prince of Wales, or her royal highness the princess of Wales, or their issue, and all ecclesiastical persons, heads or governors, of what denomination soever, and all other members of colleges and halls in any university, that are or shall be of the foundation, or that do or shall enjoy any exhibition, (being of the age of eighteen years) and all persons teaching or reading to pupils in any university, or elsewhere, and all schoolmasters and ushers, and all preachers and teachers of separate congregations, all constables, and every person that shall act as a serjeant at law, counsellor at law, barrister, advocate, attorney, solicitor, writer in Scotland, proctor, clerk, or notary, by practising in any manner as such in any court whatsoever, who shall inhabit, reside, or be within the cities of London or Westminster, or within thirty miles distant from the same, on the first day of Michaelmas term next, at any time during the said term, shall personally appear before the end of the said term in his Majesty's court of chancery, king's-bench, common pleas or Exchequer, and there, in publick and open court, between the hours of nine of the clock and twelve in the forenoon, take the oaths herein after mentioned; that is to say,

in Great Britain, &c.

all ecclesiastical persons, &c.

all schoolmasters, &c.
all serjeants at law, &c.

residing within 30 miles of London, shall take the following oaths in one of the courts at Westminster.
The time is enlarged by 1 Geo. 2. stat. 2. c. 23.
The oaths.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true allegiance to his majesty King George.

So help me God.

I A. B. do swear, that I do from my heart abhor, detest and abjure, as impious and heretical, that damnable doctrine and position, That princes excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare, that no foreign prince, person, prelate, state or potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm.

So help me God.

I A. B.

21 & 23 W. 3.
C. 2.

I A. B. do truly and sincerely acknowledge, profess, testify and declare, in my conscience, before God and the world, That our sovereign Lord King George is lawful and rightful King of this realm, and all other his Majesty's dominions and countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe in my conscience, that the person pretended to be prince of Wales, during the life of the late King James, and since his decease pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging; and I do renounce, refuse, and abjure any allegiance or obedience to him. And I do swear, That I will bear faith and true allegiance to his majesty King George, and him will defend to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown or dignity. And I will do my utmost endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them. And I do faithfully promise, to the utmost of my power to support, maintain and defend the succession of the crown against him the said James, and all other persons whatsoever, which succession, by an act, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject, is and stands limited to the princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants. And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever: And I do make this recognition, acknowledgment, renunciation and promise, heartily, willingly and truly, upon the true faith of a christian.

So help me God.

And subscribe
the same.

Unto which oaths so taken, every such person so taking the same, shall subscribe his name, or if he cannot write, shall make his mark, and during the time of taking the said oaths, all pleas and proceedings in the said respective courts shall cease; and all and every the said respective persons and officers, not having taken the said oaths, and subscribed the same, as aforesaid, shall on or before the twenty-third day of January next, at the general or quarter-sessions for that county, riding, liberty, city, borough, town corporate or place, where he or they shall be, inhabit or reside on the first day of December next, take the said oaths in open court, between the said hours of nine and twelve of the clock in the forenoon, and subscribe his name, or if he cannot write, make his mark under the same.

Or in the
quarter-sessions for the
county, &c.
where they
reside.

II. And

II. And be it further enacted by the authority aforesaid, That all and every person and persons that shall be admitted, entred, placed or taken, into any office or offices, civil or military, or shall receive any pay, salary, fee or wages, by reason of any patent or grant from his Majesty, or shall have command or place of trust from or under his Majesty, or by his authority, or by authority derived from him, within that part of *Great Britain* called *England*, or in his Majesty's navy, or in the several islands of *Jersey* and *Guernsey*, or that shall be admitted into any service or employment in his Majesty's household or family, or of his royal highness *George* prince of *Wales*, or of her royal highness the princess of *Wales*, or their issue; and all ecclesiastical persons, heads or governors, of what denominations soever, and all other members of colleges and halls in any university, that are or shall be of the foundation, or that do or shall enjoy any exhibition, being of, or as soon as they shall attain the age of eighteen years, and all persons teaching or reading to pupils in any university, or elsewhere, and all school-masters and ushers, and all preachers and teachers of separate congregations, high or chief constables, and every person who shall act as a serjeant at law, counsellor at law, barrister, advocate, attorney, solicitor, proctor, clerk or notary, by practising in any manner as such in any court or courts whatsoever within that part of *Great Britain* called *England*, who shall, at any time after the tenth day of *August* one thousand seven hundred and fifteen, be admitted into, or enter upon any of the before-mentioned preferments, benefices, offices or places, or shall come into any such capacity, or shall take upon him or them any such practice, employment or business, as aforesaid, shall within three months after he or they shall be admitted into, or enter upon any such preferment, benefice, office or place, or come into such capacity, or take upon him or them such practice, employment or business, as aforesaid, take and subscribe the same oaths in one of the said courts at *Westminster*, or at the general quarter-sessions of the county, city or place, where he or they shall reside.

All persons who before the 10th of Aug. 1715. shall be admitted into any office, &c. shall within three months take the same oath at Westminster or sessions of the county where they reside.

Repealed by 2 Geo. 2. c. 35. s. 3. and several other provisions relating hereto. 9 Geo. 2. c. 26.

III. And be it further enacted by the authority aforesaid, That all and every person or persons, as well peers as commoners, who by virtue of any act or acts made since the union of the two kingdoms, were bound to take and subscribe the oath of allegiance, subscribe the assurance, and to take and sign the oath of abjuration, for or on account of any office, civil or military, or any other cause or occasion, within *Scotland*, shall on or before the first day of *December* one thousand seven hundred and fifteen, take and subscribe the oath of abjuration above-mentioned, and shall take and subscribe the said oath of allegiance, and subscribe the assurance in the words following, *videlicet*.

Persons in Scotland to take the said oath before Dec. 1, 1715. and subscribe the assurance following. Ministers of the church of Scotland favoured in relation to this oath, by 5 Geo. 1. c. 29. s. 6.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true allegiance to his Majesty King George.
So help me God.

The assurance. **I** A. B. do, in the sincerity of my heart, assert, acknowledge and declare, That his majesty King George is the only lawful and undoubted sovereign of the realm, as well de jure, that is, of right, King, as de facto, that is, in the possession and exercise of the government; and therefore I do sincerely and faithfully promise and engage, That I will, with heart and hand, life and goods, maintain and defend his Majesty's title and government, against the person pretended to be prince of Wales, during the life of the late King James, and since his decease, pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, and his adherents, and all other enemies, who either by open or secret attempts, shall disturb or disquiet his Majesty in the possession and exercise thereof.

And that in such courts, and within such times limited, before such judges, in such manner, and to be certified as in and by the several acts generally above-mentioned is directed.

6 Ann. c. 23. **IV.** And whereas certain doubts and scruples have arisen concerning the sense and meaning of the clause following, contained in an act made in the sixth year of her late Majesty Queen Anne, intituled, An act to make further provision for electing and summoning sixteen peers of Scotland, to sit in the house of peers in the parliament of Great Britain; and for trying peers for offences committed in Scotland; and for the further regulating of voters in elections of members to serve in parliament; whereby it is enacted, That every person who shall refuse to take the oath last therein before recited, or being a quaker, shall refuse to declare the effect thereof upon his solemn affirmation, as directed by an act of parliament made in the seventh year of the reign of his late majesty King William, intituled, An act that the solemn affirmation and declaration of the people called Quakers, shall be accepted instead of an oath in the usual form, (which oath or declaration, the sheriff, president of the meeting, or chief officer taking the poll at any election of members to serve in the house of commons for any place in Great Britain, or commissioners for choosing burgesses for any place in Scotland, at the request of any candidate, or other person present at such election, are hereby impowered and required to administer) shall not be capable of giving any vote for the election of any such member to serve in the house of commons for any place in Great Britain, or commissioners to choose a burgess for any place in Scotland; on account of which words, some have pretended to vote in the meetings of free elections in Scotland, at the choosing of the president and clerk of the meeting, without taking the oath mentioned in the last recited act, whereby it has happened that rolls of electors have been unduly made up, and wrong returns made: and also whereas divers of his Majesty's

Majesty's good subjects, who have given convincing marks of their loyalty to his royal person and government, have scrupled to take the said oath, apprehending that the reference in the said oath may be construed in some respects to be inconsistent with the establishment of the church in Scotland according to law, and to a clause concerning oaths to be imposed in Scotland after the union, contained in an act made in the parliament of Scotland in the year one thousand seven hundred and seven, intituled, An act for securing the protestant religion, and presbyterian church government; which act is declared to be a fundamental and essential condition of the treaty of union; to the end therefore that the said scruples, and all mistakes and divisions on account of the same may cease, be it further enacted and declared by the authority aforesaid, That every person who shall refuse to take the aforesaid oath of abjuration, or being a quaker, shall refuse to declare the effect thereof upon his solemn affirmation, in manner aforesaid (which oath and declaration the member last elected for any county or stewartry in Scotland, or in his absence the sheriff or steward's clerk, until a person be chosen to proceed (a) in the said meeting, according to the directions contained in the twenty-first act of the third parliament of King Charles the Second, held in Scotland, intituled, Act concerning the election of commissioners for shires, and after such choice the person so chosen to proceed, or any person chosen to proceed in any meeting of any county or stewartry there, in which rolls for elections shall happen to be made up, is hereby authorized and required to administer, at the request of any candidate or other person present at such meeting for election, before or after the choosing of the president of the meeting, or making up of the rolls) shall not be capable of giving any vote for the election of a president of the meeting, making up of the rolls, or of any member to serve in the house of commons for any place in Scotland, or commissioner to choose a burgess for any place there; and further, that by no words in the said oath or oaths, formerly imposed, contained, it is or was meant to oblige his Majesty's said subjects to any act or acts any ways inconsistent with the establishment of the church of Scotland according to law.

Persons in Scotland refusing to take the abjuration, incapacitated to vote at elections.

(a) Examined with the record.

V. And be it also further enacted by the authority aforesaid, That all heads, masters and members of colleges, halls, or classes in the universities of Saint Andrew, Glasgow, Aberdeen, and Edinburgh, and also all probationers or licentiates of divinity, before they enter upon their trials, or obtain licences to preach, and all schoolmasters in Scotland, shall take and subscribe the aforesaid oaths, and subscribe the aforesaid assurance appointed to be taken for offices, civil and military, and other causes in Scotland, before such judges, and obtain such certificates, as in and by this act, or the acts whereunto relation is hereby had, directed.

Heads, &c. of colleges, &c. in Scotland, to take the oaths.

VI. Provided, That nothing in this act contained shall extend to any person now beyond the seas, who by virtue of this act ought to take the said oaths, so as such person do, within

Not to extend to persons beyond sea, who take the oaths

in three months after they return.

Penalty of refusing the oaths.

Penalty of acting as officers, &c. not having taken the oaths.

Persons taking the oaths to pay 2s. and a register to be kept to enter their names.

three months after his return to *Great Britain*, take the said oaths, and subscribe thereunto according to the appointment of this act.

VII. And be it further enacted by the authority aforesaid, That all and every the person and persons aforesaid, that do or shall neglect or refuse to take the said oaths, and subscribe thereto, as aforesaid, in the said courts and places, and at the respective times aforesaid, shall be *ipso facto* adjudged incapable, and disabled in law, to all intents and purposes whatsoever, to have, occupy or enjoy the said office or offices, employment or employments, or any part of them, or any matter or thing aforesaid, or any profit or advantage appertaining to them, or any of them; and every such office or place, employment or employments, shall be void, and is hereby adjudged void.

VIII. And be it further enacted, That all and every such person and persons who shall neglect and refuse to take the said oaths, within the times, and at the places aforesaid, and yet after such neglect or refusal shall, by himself or themselves, his or their deputy or trustee, execute any of the said offices or employments after the said time is expired, wherein he or they ought to have taken the said oaths according to the true intent and meaning of this act, and being thereof lawfully convicted in or upon any information, presentment or indictment, in any of the King's courts at *Westminster*, or at the assizes, upon prosecution before the court of judicature, or circuits in *Scotland*, every such person or persons shall be disabled from thenceforth to sue or use any action, bill, plaint or information in any court of law, or to prosecute any suit in any court of equity, or to be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, or to be in any office within this realm of *Great Britain*, or to vote at any election for members to serve in parliament, and shall forfeit the sum of five hundred pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by any action of debt, suit, bill, plaint or information, in any of his Majesty's courts at *Westminster*, wherein no essoin, protection or wager of law shall lie, or any more than one imparlance, and by way of summary complaint before the court of sessions, or prosecution before the court of judicature in *Scotland*.

IX. And be it further enacted, That it shall and may be lawful, to and for the respective courts aforesaid, to give and administer the oaths aforesaid, to the person and persons aforesaid, and upon due tender of any person or persons to take the said oaths, the said courts are hereby required and enjoined to administer the same; for the taking and subscribing the said oaths the proper officer shall have, take and receive of every person, so taking and subscribing the said oaths, the sum of two shillings, and no more; of the taking and subscribing whereof a register shall be kept in a book to be provided for that purpose, by the proper officer, where the names of all such persons, who shall take and subscribe the said oaths, shall be fairly written,

written, and when they took and subscribed the same, to which said register any person may resort, and inspect the same without fee or reward.

X. And be it further enacted, That it shall and may be lawful to and for two or more justices of peace, or any other person or persons who shall be by his Majesty for that purpose specially appointed, by order in the privy council, or by commission under the great seal, to administer and tender the oaths herein before appointed to be taken, to any person or persons whatsoever, whom they shall or may suspect to be dangerous or disaffected to his Majesty or his government; and if any person or persons to whom the said oaths shall be so tendered, shall neglect or refuse to take the same, such justices, or any other person or persons specially to be appointed, as aforesaid, tendering the said oaths, shall certify the refusal thereof to the next quarter-sessions of the county, riding, liberty, city, borough, town corporate or place in which such refusal shall be made; and the said refusal shall be recorded amongst the rolls of that sessions, and shall be from thence certified by the clerk of the peace of such county, riding, liberty, city, borough, town corporate or place, into his Majesty's court of chancery or king's bench, court of sessions, or court of judicature in *Scotland*, there to be recorded amongst the rolls of the said courts, in a roll or rolls there to be provided and kept for that purpose only, and that every person so neglecting or refusing to take the said oaths, shall be from the time of his neglect or refusal, taken, esteemed and adjudged a popish recusant convict, and as such to forfeit and be proceeded against.

Two justices, &c. may tender the oaths to suspected persons,

and certify the refusal to the next sessions,

to be thence certified in the chancery, &c.

and persons refusing, to be adjudged popish recusants convict.

XI. And to the intent and purpose, that no person may avoid taking the several oaths in this act particularly mentioned, upon any pretence whatsoever; be it further enacted by the authority aforesaid, That it shall and may be lawful unto and for two or more justices of the peace, or any other such person or persons, who shall be by his Majesty for that purpose specially appointed, by order in the privy council, or by commission under the great seal, by writing under their hands and seals, to summon any person to appear before them at a certain day and time therein to be appointed, to take the said oaths, which said summons shall be served upon such person, or left at his dwelling-house, or usual place of abode, with one of the family there; and if such person who shall be so summoned, neglects or refuses to appear according to such summons, that then upon due proof to be made upon oath of the serving the said summons, which oath such justices, or any other person or persons specially to be appointed, as aforesaid, are hereby enabled to administer, such justices, or any other person or persons, specially to be appointed, as aforesaid, are hereby required to certify the same to the next general quarter-sessions of the peace to be holden for such county, riding, liberty, city, borough, town corporate or place, there to be entered upon the rolls of the said sessions; and

Punishment of persons summoned by justices, and refusing to appear and take the oaths.

if such person who shall be so summoned to take the said oaths, as aforesaid, shall neglect or refuse to appear and take the said oaths at the said general quarter-sessions, the names of the persons so certified being publicly read at the first meeting of the said sessions, That then and in such case such person shall be taken, esteemed and adjudged a popish recusant convict, and as such, to forfeit and be proceeded against as if such person had actually refused to take the said oaths; and the same shall be from thence, certified by the clerk of the peace of such county, riding, liberty, city, borough, town corporate, or place, into his Majesty's high court of chancery or king's bench, court of session, or court of justiciary in *Scotland*, there to be recorded amongst the rolls of the said courts, in a roll or rolls there to be provided and kept for that purpose only.

Heads, &c. of colleges, &c. in Oxford and Cambridge, not taking the oaths, and the person in whom the right of election is, not electing some proper person in his place, the King may nominate, &c.

XII. And be it further enacted by the authority aforesaid, That if any head or member of any college or hall within either of the universities of *Oxford* or *Cambridge*, that are or shall be of the foundation, or that do or shall enjoy any exhibition, being of (or as soon as he shall attain) the age of eighteen years, shall neglect or refuse to take and subscribe the several oaths in this act mentioned, according to the true intent and meaning of this act, or to produce a certificate thereof, under the hand of some proper officer of the respective court, and cause the same to be entred in the register of such college or hall within one month after his having taken and subscribed the said oaths; and if the persons in whom the right of election of such head or member shall be, do neglect or refuse to elect some other fitting or proper person, in the place or stead of such head or member so neglecting and refusing to take and subscribe the said oaths, as aforesaid, by the space of twelve months after such neglect or refusal, That then, and from thenceforth, it shall and may be lawful unto and for the King's most excellent majesty, his heirs and successors, under the great seal or sign manual, to nominate and appoint some fitting person, qualified according to the local statutes of such college or hall, to succeed to the place of such person who shall neglect or refuse to take and subscribe the said oaths; and that every person so to be nominated and appointed, shall have and enjoy such place, to which he shall be nominated and appointed, as aforesaid, to all intents and purposes whatsoever, and all benefits, privileges and advantages to the same belonging and appertaining, as if such person had been elected and chosen by the proper electors of such college or hall.

The King's bench may issue a mandamus to compel the admission of a person so named.

XIII. And be it further enacted by the authority aforesaid, That if the head of any college or hall in either of the universities, or other person or persons lawfully authorized to admit, shall refuse or neglect to admit such persons so nominated and appointed under the great seal or sign manual, as aforesaid, by the space of ten days after such admission shall be demanded of him or them, who ought to make such admission, to such place as he shall be nominated to, as aforesaid, That then and in
such

such case the local visitor or visitors of such college or hall is hereby authorized and required to admit and place such person so nominated and appointed, to such place as he shall be nominated to, as aforesaid, within the space of one month after the same shall be demanded of such visitor; and in case such visitor shall neglect or refuse to admit, as aforesaid, during the space of one month after the same is lawfully demanded of such visitor, That then it shall and may be lawful to and for the court of king's bench at *Westminster*, to issue out a writ of *Mandamus* to be directed to such visitor or visitors, to admit such person to such place, and to proceed upon the said writ, according to the course of the said court in such cases.

XIV. Provided always, That any person who, by any neglect or refusal according to this act, shall lose or forfeit any office, may be capable of a new grant of the said office, or of any other, and have and hold the same again, such person taking the said oaths in such manner as aforesaid, so as such office be not granted to, or actually enjoyed by some person at the time of regranting thereof.

Officer having forfeited may have his office again, on taking the oaths.

XV. Provided also, That nothing herein contained shall be construed to extend to any person in his Majesty's service on board the fleet, or to any person whatsoever who shall go beyond the seas before the first day of *November* next, so as such person take the said oaths, and subscribe thereunto, as aforesaid, according to the appointment of this act, within three months after his return.

This act shall not extend to persons beyond sea, who shall take the oaths in three months after their return.

XVI. And be it further enacted by the authority aforesaid, That from and after the twenty-ninth day of *September* in the year of our Lord one thousand seven hundred and fifteen, no person that now is, or hereafter shall be a peer of this realm, or member of the house of peers, shall vote, or make his proxy in the house of peers, or sit there, during any debate in the said house of peers; nor any person that now is, or hereafter shall be a member of the house of commons, shall vote in the house of commons, or sit there during any debate in the said house of commons, after their speaker is chosen; until such peer or member shall, from time to time, respectively take the abjuration-oath aforesaid, instead of the oath of abjuration which before by law ought to have been taken, in such manner, and together with such other oaths, and declaration against transubstantiation, as the said former oath of abjuration ought to have been taken.

After Sept. 29, 1715. No member of either house of parliament shall be capable of voting, &c. till he has taken the abjuration.

XVII. And be it further enacted, That if any person that now is, or hereafter shall be a peer of this realm, or member of the house of peers, or member of the house of commons, in this or any succeeding parliament, and after the said twenty-ninth day of *September* presume to vote, or make his proxy, not having taken the said oath, and subscribed the same, as aforesaid, every such peer or member so offending shall be disabled to sue, or use any action, bill, plaint, or information in any court of law, or to prosecute any suit in any court of equity, or

Punishment of members presuming to vote, &c.

to be guardian of any child, or executor or administrator of any person, or be capable of any legacy or deed of gift, or to be in any office within this realm of *Great Britain*, or to vote at any election for members to serve in parliament, and shall forfeit the sum of five hundred pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by action of debt, suit, bill, plaint, or information, in any of his Majesty's courts at *Westminster*, wherein no essoin, protection, or wager of law shall lie, or any more than one imparlance, and by way of summary complaint before the court of sessions, or prosecution before the court of judicary in *Scotland*.

This act not to extend to officers of inheritance, if a deputy be substituted who shall qualify himself,
25. Car. 2.

XVIII. Provided, That neither this act, nor any thing therein contained, shall extend, be judged, or interpreted to take away or make void any office of inheritance, so as such person or persons having an office of inheritance, do or shall substitute and appoint his or their deputy or deputies, and such deputy or deputies shall qualify him or themselves, according to a proviso in the act made in the five and twentieth year of the reign of King *Charles* the Second, intituled, *An act for preventing dangers which may happen from popish recusants*, and so as such deputy or deputies do likewise take and subscribe the oaths in and by this present act required and expressed, and so as such deputy or deputies be, from time to time, approved of by the King's majesty under his privy signet.

Such offices in Scotland not forfeitable, but according to the laws there.

This act not to extend to the office of any tithing-man, &c.

XIX. Provided, That no office of inheritance in *Scotland* shall be forfeitable otherwise than according to the laws now in force there.

XX. Provided always, That this act, or any thing therein contained, shall not extend to the office of any tithingman, headborough, overseer of the poor, church-wardens, surveyors of the highways, or any like inferior civil officer, or to any office of forester, or keeper of any park, chase, warren, or game, or bailiff of any manor or lands, nor to any like private offices, nor to any person or persons having only any the before-mentioned or the like offices, for or upon account of such offices only.

Nor to any who have taken the oaths since his Majesty's accession, except on account of some new office.

XXI. Provided always, That this act, or any thing therein contained, shall not extend to any person who hath, since his Majesty's happy-accession to the throne, taken the oaths of allegiance and supremacy, and the abjuration oath, in any of the said courts at *Westminster*, or at the general quarter-sessions of the peace, or in either houses of parliament, unless by reason of such person's having some new office or employment, or his coming hereafter under some of the qualifications which require the taking the oaths before-mentioned, by virtue of this act, or any other law now in being.

Persons obliged by any law to receive the sacrament, &c. shall continue obliged.

XXII. Provided always, and be it declared and enacted, That all persons whatsoever, who, by virtue of any law now in being, are or would be obliged, if this act was not had or made, to receive the sacrament according to the usage of the church of *England*, and to make and subscribe the declaration against transubstantiation

stantiation or either of them, on any occasion whatsoever, shall continue obliged, in all such cases, to receive the said sacrament, and make and subscribe the said declaration, together with the oaths appointed by this act, in such manner, and under such penalties in case of neglect, as is required by any former law.

XXIII. Provided always, and be it enacted by the authority aforesaid, That all and every person or persons, who shall, on or before the first of *December* next, take and subscribe the oaths in such manner as is appointed in this act, and also receive the sacrament of the Lord's supper according to the usage of the church of *England*, and make and subscribe the declaration against transubstantiation, in those cases where the sacrament ought to have been received, and the said declaration ought to have been made and subscribed, and has been neglected, shall be and are hereby indemnified from and against all penalties, forfeitures, incapacities, and disabilities incurred by any former neglect or omission of taking or subscribing the oaths, or receiving the sacrament, or subscribing the aforesaid declaration, according to any former act or acts concerning persons in offices or places of trust, and is, are and shall be fully and actually re-capacitated and restored to the same state and condition as before such neglect or omission.

Persons taking the oaths, &c. before Dec. 1. indemnify'd from all penalties, &c.

XXIV. Provided also, That all and every person who has, at any time since his Majesty's happy accession to the crown, taken the oaths, and taken and subscribed the abjuration, and also subscribed the declaration, and received the sacrament, in such cases where the sacrament ought to have been received, and the said declaration ought to have been subscribed, according to any act or acts concerning persons in offices or places of trust, shall likewise be, and are hereby indemnified, as aforesaid, though the same has not been within the time appointed by law.

Likewise all who have taken the oaths since his Majesty's accession.

XXV. Provided always, That no person or persons, who by reason of any such neglect or omission hath or have left or forfeited any office, benefice, place, dignity, or employment whatsoever, to which any other person or persons hath or have been preferred or promoted, shall be restored to such office, benefice, place, dignity, or employment; any thing herein contained to the contrary notwithstanding.

No person who has forfeited any office, &c. shall be restored if another be promoted.

XXVI. Provided always, That any person or persons who shall become popish recusants convict, by virtue of any thing in this act contained, and shall at any time thereafter take and subscribe the oaths, and make and subscribe the declaration, and subscribe the assurance, in such manner, and in such place, as is appointed by this act, shall be and are hereby, from such time, discharged from such conviction.

Popish recusants convict by this act, shall be discharged on taking the oaths.

XXVII. Provided always, That the oath of abjuration, and the assurance in this act contained, shall in all cases be taken to be in lieu of the oath of abjuration, and the assurance formerly appointed.

This abjuration to be taken in lieu of the former.

XXVIII. And whereas in and by an act of parliament made in the last sessions of parliament, and in the first year of his Majesty's

Reward for taking the

reign,

pretender
1 Geo. 1. stat.
2. C. 1.

reign, intituled, An act for the better support of his Majesty's household, and of the honour and dignity of the crown of Great Britain, it is enacted, That the lord high treasurer of Great Britain, or commissioners of the treasury for the time being, should, and are thereby authorized and required, out of any monies granted or to be granted by parliament, for the use of the publick, forthwith to issue and pay the sum of one hundred thousand pounds, to any person or persons, who should seize and secure the person of the pretender, whenever he should land, or attempt to land in any of his Majesty's dominions; to the end that the encouragement and reward for a service so important, may be rendered sure and effectual; be it enacted by the authority aforesaid, That the lord high treasurer of Great Britain, or the commissioners of the treasury for the time being, shall and are hereby authorized and required, out of any monies granted, or to be granted by parliament, to the use of the publick, forthwith to issue the sum of one hundred thousand pounds to any person or persons, being natives or foreigners, who shall seize or secure, alive or dead, the person of the pretender, whenever he shall land, or attempt to land in Great Britain or Ireland, or any other his Majesty's dominions; and if any of the persons who have adhered to, or assisted, or who shall adhere to, or assist the said pretender, shall seize and secure him, as aforesaid, he or they who shall so seize and secure him, shall have his Majesty's gracious general pardon, and shall also receive the said reward, to be paid in manner aforesaid.

To go to the
executors, &c.
of persons
kill'd in taking
him.

XXIX. And be it further enacted, That in case any person or persons, natives or foreigners, shall happen to be killed in seizing or securing, alive or dead, the person of the said pretender, as aforesaid, That then their executors or administrators, or such person or persons, to whom the right of administration of the personal estate of each person so killed shall belong, shall have and receive respectively, the same share and proportion of the said one hundred thousand pounds, as their several and respective testators or intestates would have been entitled unto had they been living.

The King may
by commission
impower persons
to administer the
oaths to officers,
seamen, &c.
whose names
shall be regi-
ster'd and re-
turned into
the petty bag
office before
Feb. 1. 1715.

XXX. And it is further enacted, That it shall and may be lawful for his Majesty to grant a commission or commissions, under the great seal of Great Britain, to such person or persons as to him shall seem meet, to impower him or them to administer the oaths of allegiance and supremacy, and of abjuration, in this act mentioned, to all and every officer and officers in his Majesty's service, either by sea or land, and all and every seaman and seamen, and private soldiers; and such sea and land officers, and seamen and soldiers, are hereby enjoined and required to take the same, upon the pains and penalties in this act mentioned in case of refusal thereof; and that upon taking the said oaths such officer and officers, seamen and soldiers, do subscribe the same upon a roll to be kept by the person or persons who shall administer the same, which roll such person as hath or shall have the keeping thereof shall, on or before the twelfth day of February one thousand seven hundred and fifteen, deliver into the

the office of the petty-bag in the court of chancery, there to be kept upon record.

XXXI. Provided always, That no seaman or soldier, under the degree of a commission or warrant-officer, shall be obliged to pay any fee or reward on taking the said oaths. No seaman, &c. to pay any fee.

XXXII. Provided always, That nothing in this act contained shall extend to the office of the lord great chamberlain of England, so as the lord great chamberlain for the time being do or shall substitute and appoint his sufficient deputy, who shall have taken the oaths aforesaid; any thing in this act to the contrary notwithstanding. Not to extend to the office of lord great chamberlain.

XXXIII. And be it further enacted by the authority aforesaid, That from and after the nine and twentieth day of September one thousand seven hundred and fifteen, the same oath of abjuration by this act appointed to be taken in Great Britain, shall be the oath of abjuration to be taken in the kingdom of Ireland, and no other; and that the indemnities above-mentioned be and are hereby extended to the said kingdom of Ireland. The same abjuration to be taken in Ireland after Sept. 29, 1715.

C A P. XIV.

An act for making the militia of that part of Great Britain called England more useful, and for obliging an annual account to be made of trophy-money.

WHEREAS by an act of parliament made in the thirteenth year of the reign of the late King Charles the Second, intituled, An act for ordering the forces in the several counties of this kingdom, it was (amongst other things) enacted, That in case of invasions, insurrections or rebellions, whereby occasion should be to draw out the soldiers mentioned and appointed in and by the said act, into actual service, the persons charged by the said act with horses, horsemen and arms, or with foot soldiers and arms, should provide each their soldiers respectively with pay in hand, not exceeding one month's pay, as should be in that behalf directed by the respective lieutenants of the several counties, and in their absence, or otherwise by their directions, by their deputies, or any three or more of them; for repayment of which said monies, and for satisfaction of the officers for their pay during such time, not exceeding one month, as aforesaid, as they shall be with their soldiers in actual service; it was thereby declared, That provision should be made for the same by his said Majesty, his heirs and successors, out of his or their publick treasury or revenue; nevertheless, it was thereby further provided and enacted, That in case a month's pay should be provided and advanced, as aforesaid, no person who should have advanced his proportion thereof, should be charged with any other like month's payment, until he or they should be re-imbursed the said month's pay, and so from time to time, the said month's pay by him or them last provided and advanced, as aforesaid: and whereas in the late war it was found necessary for the publick defence and safety, to draw out the said soldiers into actual service, and to charge the said persons to provide each their soldiers respectively with pay in hand, although the month's pay by several of them before that time provided and advanced Reciting the 23 & 14 Car. 2. c. 3.

The King may at any time order the militia in England to be drawn out into actual service.

The persons charged to provide their soldiers with pay, not exceeding one month's pay. 13 & 14 Car. 2. c. 3.

The militia of any city, &c. to march, for suppressing insurrections, &c.

The pay advanced to be repaid in six months.

and was not nor could be reimbursed: and whereas it may be necessary for the publick safety and defence of this realm, to draw out the said forces into actual service, more particularly at this time, when tumults and rebellions are fomented at home, supported by hopes of assistance from a foreign invasion, be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled. and by the authority of the same, That if at any time or times hereafter it shall be found necessary by his Majesty, his heirs or successors, for any of the purposes in the said recited act mentioned, to draw out the said soldiers into actual service, and the same shall be declared and signified to the respective lieutenants or deputy lieutenants of the several counties, ridings, cities and places of that part of Great Britain called England, and to the lord-warden of the cinque-ports, two ancient towns and their members, or in his absence, to his lieutenant or lieutenants, by his Majesty, his heirs or successors, it shall be lawful for the said lieutenants, or their deputies, or for any two or more of them, and for the lord-warden of the cinque-ports, two ancient towns, and their members, or in his absence, for his lieutenant or lieutenants, in pursuance of such orders from his Majesty, his heirs and successors, and in the manner prescribed by the aforesaid act, notwithstanding one or more month's pay already advanced, be not reimbursed, to raise and draw out the said soldiers into actual service, and to cause the persons charged, as aforesaid, to provide each their soldiers with pay in hand, not exceeding one month's pay, in such manner as if all their pay already advanced and provided had been fully reimbursed and paid; any thing in the said act of the thirteenth year of King Charles the Second, or in any other subsequent act to the contrary hereof in any wise notwithstanding.

II. *And whereas it may so happen that the entire militia of any county or counties, within that part of Great Britain called England, cannot be assembled and got ready to march in so short a time, as necessity may require, for the suppressing of insurrections and rebellion, or for repelling of invasions: be it further enacted by the authority aforesaid, That it shall and may be lawful, from time to time, and at all times hereafter, for the proper persons empowered, as aforesaid, to raise, draw out and march such part of the militia of any city, town, borough, riding, district or county, as they shall judge most ready, proper and convenient for the purposes aforesaid; and the pay and expence advanced and laid out by the persons chargeable to and for such part of the militia so employed, shall be repaid and made good to them, within the space of six months after such money is advanced, by such persons chargeable to such part of the militia of any county, city, riding or place so employed, by an assessment according to an equal pound-rate, to be laid and assessed throughout the whole county, riding, city or place to which they belong, for the bearing the charge of such part of the militia so called out, the said pound-*

pound-rate to be assessed upon and paid by such persons, and in such proportions as they are chargeable to the militia, according to such directions as shall be given, from time to time, by the said respective lieutenants, or their deputies, or any two or more of them, who are hereby impowered and required to make and levy, and to cause to be made and levied such assessment, under the like penalties and forfeitures, and by the like ways and means, as the commissioners appointed in an act of this present session of parliament, for collecting the land-tax granted to his Majesty, are impowered to make and levy the assessment for the said land-tax.

III. *And whereas the arms and accoutrements directed to be provided for horse and foot soldiers of the militia, by former acts of parliament, are in a great measure become useless;* be it further enacted by the authority aforesaid, That it shall and may be lawful for the several lieutenants, and their deputies, in that part of Great Britain called England, to cause and oblige the several persons chargeable to the militia, to provide for every horse and horseman, a broad sword, a case of pistols, the barrels whereof to be twelve inches long, and a carabine with belt and bucket, a great saddle or pan with burrs and straps, a bitt and bridle with pectoral and crupper; and for every foot soldier a musket, the barrel whereof to be five foot long, the gage of the bore for bullets of twelve to the pound, with a bayonet to fix on the muzzle thereof, a cartouch-box, and a sword, under the same penalties, and by the same ways and means, as they might have compelled the said persons to have provided arms before for their soldiers, by virtue of any former act or acts, any thing in any former act or acts to the contrary notwithstanding.

Accountrements and arms to be provided.
By 9 Geo. 1. c. 8. s. 7. the lieutenants, &c. shall appoint the length, &c. of the muskets, &c.

IV. Provided always, and be it enacted, That such money as hath been or shall be raised as for trophy-money, by virtue of any law relating to the militia of England, the person or persons receiving the same shall and are hereby required to account for the same, before the justices of the peace at some general quarter-sessions of the peace in the respective county, riding, division, city or place, (that is to say) For such money as is already received on or before the first day of February next, and for such monies as shall be received hereafter, within twelve months after the receipt thereof, and to pay the balance which shall be found due by the justices on such account within the space of one month then next ensuing, to the treasurer or treasurers, clerk or clerks, for the time being, appointed to receive and pay the monies to be levied by virtue of any the said acts relating to the militia, or in default thereof the person or persons so receiving such money shall forfeit and pay treble the sum unaccounted for or unpaid, the one moiety to the use of the respective county, riding, division, city or place, as such justices shall appoint, the other moiety thereof to such person or persons as shall sue for the same, by action of debt, bill, plaint or information, in any of his Majesty's courts of record at Westminster,

Receivers of trophy-money to account for the same.

Penalty for not accounting.

minster, wherein no protection, effoin or wager of law shall be allowed, nor any more than one imparlance.

Treasurers to
give security.

V. And be it enacted by the authority aforesaid, That such person or persons who shall be appointed treasurer or treasurers, to receive and pay the monies to be levied by virtue of this act for the use of the militia, shall within three months after his or their said appointment, give such security for the due execution of the said office before three or more deputy lieutenants of the respective county, riding, division, city or place, as shall be by them approved; and such person or persons as are already appointed treasurer or treasurers for the said purposes, shall give the like security on or before the first day of *November*, one thousand seven hundred and fifteen.

Former clerks,
&c. to deliver
books, &c.

VI. And whereas since the thirteenth day of February which was in the year of our Lord one thousand six hundred and eighty eight, several clerks have been employed under the lieutenants, or their deputy lieutenants, in affairs relating to the militia, which clerks or others have in their hands or power respectively, several books or other papers concerning the same, and which are or may be of use in execution of the powers contained in this act: be it therefore enacted

Penalty of re-
fusing to de-
liver them.

by the authority aforesaid, That it shall and may be lawful to and for the lieutenants, and the deputy-lieutenants of any county, city, riding, town or place in *England, Wales, or Berwick upon Tweed*, or any two or more of them, upon information that any such books or papers are in the hands or power of any such former clerk or other person, to issue their warrant, requiring such former clerk or other person or persons, to deliver the same to such clerk or person as in such warrant or warrants shall be named; and if such former clerk or person so required shall refuse or neglect to deliver such book or books, paper or papers, according to such warrant, within ten days after such demand thereof, or do not within ten days after such demand make oath before some justice or justices of the peace, affirming, that such book or books, paper or papers, are not in his, her, or their power, or if such clerk or person, being a *Quaker*, do not make an affirmation to the same purpose, which oath and affirmation shall be delivered to the lieutenant, or deputy lieutenants who sign the said warrants, or one or more of them, then every such person so refusing or neglecting shall forfeit the sum of one hundred pounds, the one moiety to the use of the respective county, riding, division, city or place, in such manner as such justices shall appoint, the other moiety to the person or persons who shall sue for the same, by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, wherein no protection, effoin, wager of law, nor any more than one imparlance shall be allowed.

Warden, &c.
of cinque-
ports shall
have the same
powers as lie-
utenants of
counties.

VII. Provided always, and be it enacted by the authority aforesaid, That the lord warden of the cinque-ports, two ancient towns, and their members, and in his absence his lieutenant or lieutenants, shall and may put in execution within the said ports, towns and members, all the powers and authorities given and granted

granted by this act, and to execute and perform all and every the things therein contained, in the like manner as the respective lieutenants of the counties, and their deputies may do; and that the inhabitants of the said ports, towns and members, being in regard of their situation on the sea-coast, charged with a greater proportion of arms and armed men than other parts of the kingdom, shall not be charged with arms or armed men in the counties adjacent for their estates there lying, save only for such proportion as they are liable unto, and either are not, or shall not be charged with within the said ports, towns and members; any thing in this act contained to the contrary in any wise notwithstanding.

Inhabitants of the cinque-ports shall not be charged in the counties for their estates there.

VIII. Provided nevertheless, That nothing in this act contained shall extend to take away any right of the lieutenants of the city of *London*, of assessing, levying and collecting of all rates and assessments upon the inhabitants of the said city, and the liberties thereof, or any other right or power which is now vested in the lieutenants of the said city by any former act or acts of parliament.

This act shall not take away the right of the lieutenants of *London*;

IX. Provided nevertheless, That nothing in this act contained shall extend or be construed to extend to make any person chargeable to the militia, that is not already chargeable by law to the same, or to enlarge the power of the lieutenants, or their deputies, in any kind beyond the authority already given them by the acts of the thirteenth, fourteenth and fifteenth years of King *Charles* the Second relating to the militia, saving only in the particular cases expressly directed and provided for by this present act; and that no person who is by this act chargeable to the militia, shall be obliged at any time or times hereafter to advance more than one month's pay to any horse or foot soldier, till such time as the month's pay by such county, city, riding or place, so to be advanced, shall have been repaid and made good to such county, city, riding or place, by his Majesty, his heirs or successors, out of his or their publick treasury or revenue.

Nor charge any persons not already chargeable, nor enlarge the power of lieutenants.

No person to advance above one month's pay.

X. Provided always, That the power and authority hereby given to raise, draw out or march part of the militia of any county, city or place, shall have continuance only for and during the space of five years, and from thence to the end of the then next session of parliament. . By 9 Geo. 1. c. 8. s. 6. This act is revived for seven years. See 9 Geo. 1. c. 8. s. 7. et vide statutes Geo. 2. and Geo. 3.

Part of the act to continue for five years, &c.

CAP. XV.

An act to make an act of the tenth year of her late Majesty, intituled, An act for regulating, improving and encouraging of the woollen manufacture of mixt or medley broad-cloth, and for the better payment of the poor employed therein, more effectual for the benefit of trade in general; and also to render more effectual an act of the seventh year of her said Majesty's reign, intituled, An act for the better ascertaining the lengths and breadths of woollen cloth made in the county of York.

10 Ann. c. 16.

How broad-cloth shall be measured.

WHEREAS an act passed in the tenth year of her late Majesty's reign, intituled, An act for regulating, improving and encouraging the woollen manufacture of mixt or medley broad-cloth, and for the better payment of the poor employed therein, *hath proved ineffectual to prevent the abuses committed in making and measuring the said cloth, to the great disreputation of the said manufacture abroad, and discouragement of the good makers and fair dealers therein; for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twentieth day of September one thousand seven hundred and fifteen, all mixt or medley broad-cloth shall at the instance and request of any buyer, for proof thereof, be put into water, (as by ancient custom they usually were) and then measured by any two indifferent persons to be appointed and chosen, one by the buyer, and another by the seller of the said cloth, and in case they disagree in ascertaining the length and breadth of the said cloth, then the said admeasurement shall be made by a third person, chosen and nominated by the said two persons appointed as aforesaid; and in case the said two persons shall neglect or refuse, within the space of two hours, to chuse or nominate such third person, or if such third person so chosen shall neglect or refuse to take upon him the admeasurement of the said cloth, at the request of the seller or buyer thereof, then such admeasurement (if in *London*) finally shall be made and determined by the keeper of *Blackwell-Hall*, who shall be sworn before some justice of the peace (which justice is hereby impowered to administer such oath) That he will well and truly perform such measuring, and be obliged to act for that purpose, and the admeasurement so made shall be conclusive on all parties, and accordingly be the rule of payment to the buyer; and if elsewhere than in *London*, the said cloth shall be measured by any two indifferent persons, as aforesaid, and in case they disagree therein, or refuse to make such admeasurement, or neglect or refuse to appoint a third person for such admeasurement, as aforesaid, then a fit person shall be nominated and appointed by the chief magistrate or chief officer of such city, town or place,*

where

where the said cloth shall happen to be sold, which said magistrate or chief officer, as aforesaid, is hereby authorized and required to appoint and swear such person, which person so appointed shall be and is hereby obliged to be sworn, and to act for the purpose aforesaid, which said person or persons determining the measure of the said cloth shall have and receive sixpence, and no more, for each piece of cloth which shall be by him or them so measured, to be paid by the buyer of the said cloth; and if upon such admeasurement, as aforesaid, there shall be found a less or smaller content or quantity of cloth in length, or the greatest part of the breadth, than is mentioned in the seal or seals directed by the said former act, to be fixed to such cloth by the master, occupier or millman of the fulling-mill; in every such case, every clothier, owner or seller of such cloth, shall forfeit and pay the sixth part of the value of every such cloth, to the uses as is afterwards herein provided for by this act; and the said forfeiture shall be paid by the buyer, and by him deducted out of the price of the said cloth so found to be wanting in measure, as aforesaid, upon payment of the same, upon a certificate thereof made by any of the said persons or person measuring the same, and upon such persons or person aforesaid making oath thereof before any justice of peace, which oath such justice of the peace is hereby authorized and required to administer, and thereof to give the said person or persons a certificate without fee or reward; and all such sums of money which the clothier, owner or seller of any such cloth, shall forfeit and pay upon account of such fraudulent seal of the master, occupier or millman of the fulling-mill, being fixed to the said cloth, shall upon demand be repaid by the said master, occupier or millman of the fulling-mill, who affixed the said seal, to such clothier, owner or seller of such cloth; any thing to the contrary notwithstanding.

Forfeiture for a less quantity either in length or breadth than mentioned in the seal.

To be paid by the buyer, and deducted out of the price.

To be repaid by the master, &c. of the fulling-mill, who fixed the seal.

II. And be it further enacted by the authority aforesaid, That from and after the twenty ninth of *September* one thousand seven hundred and fifteen, if any owner, master, occupier or millman of any fulling-mill, shall refuse or neglect to take the oath by the said recited act directed to be taken by the owner, master or occupier of such fulling-mill, for his true performance of admeasurement of mixt or medley broad-cloth, or to fix a seal of lead at the head-end of every mixt or medley broad-cloth, before it is carried from the mill, mentioning his name, and the length and breadth of every such cloth in figures, or to enter in a book to be kept by such master, owner, occupier or millman, a fair and due register or entry of the marks, sort, number, length and breadth of every such cloth, or if any person or persons shall afterwards take off such seal, or deface, counterfeit or alter the same, or add any other seal before the cloth is sold, except the millman who milled the said cloth, or some other sworn millman, who is in that case also to register the same, in manner aforesaid, every person or persons so offending, being thereof lawfully convicted upon the oath of one or more credible

Master of a fulling-mill refusing to take the oath directed by 10 Ann. c. 16.

or to fix a seal, &c.

and persons taking off, or altering, &c. such seal,

shall forfeit 20l.

dible witness or witnesses, shall for every such neglect or offence forfeit the sum of twenty pounds, to be recovered and distributed as is afterwards provided for by this act, which forfeitures shall be taken and accepted in discharge of the forfeiture of twenty shillings a cloth that may be incurred by such master, owner, occupier or millman, by virtue of the said recited act, in case of such neglect or refusal of fixing or taking off such seal, or defacing, counterfeiting or altering the figures thereof; any thing herein contained, or any law, custom or usage to the contrary notwithstanding.

A table to be provided in Blackwell-Hall, for the measuring of cloth in London.

III. *And to the end there may be one and the same method or manner of measuring mixt or medley broad-cloth*; be it further enacted by the authority aforesaid, That from and after the twenty-ninth of September one thousand seven hundred and fifteen, the master or hall-keeper of *Blackwell-Hall*, at the costs and charges of the governors of *Christ's Hospital*, shall have in some convenient place within the said hall, one table or board, consisting of thirty yards in length, to each of which yards shall be added one inch, which shall be used instead of that called the thumb's breadth, so that each yard shall consist of thirty-seven inches, and shall be distinguished by a nail, or other proper mark along the said table or board, and three foot wide at least, whereon the said cloth shall be doubled or creased, and laid plain the full length, to prevent any dispute in respect of such admeasurement by the yard, where the said admeasurement of any mixt or medley broad-cloth (if in *London*) by and upon the said table so to be placed there, shall be made and determined, as aforesaid; and the said cloth shall, at the request of the seller, or his agent, be there put into water, into proper cisterns to be provided for that purpose before such admeasurement shall be made.

The buyer to give notice to the seller, when the cloth is to be wetted.

IV. *And to prevent all undue convictions by surprise, or otherwise*; be it further enacted by the authority aforesaid, That the buyer of mixt or medley broad-cloths, by himself, his agent or servant, within six days after delivery thereof to the buyer, shall give two days notice to the seller or his factor, of the time when such cloth is, for proof thereof, to be wetted and tried by the water, unless it be by the consent of the buyer and seller, or their respective agents, signified in writing, in which case, less notice shall be sufficient; and in case the seller, or his factor or agent, doth not appoint an indifferent person, as aforesaid, or doth refuse or neglect to attend the admeasurement of the said cloth, which shall be made some time within the space of eight days after delivery, as aforesaid, then the buyer or his agent, may proceed in the absence of the said seller or his agent, to prove the said cloth by the water at *Blackwell-Hall*; and then the said keeper of *Blackwell-Hall* shall proceed to take the measure thereof on the table, as aforesaid, and finally to adjudge and ascertain the true measure and contents of the same, and thereof to make a certificate, which certificate as also the other certificates, which may be made in manner aforesaid, shall, within ten days after such admeasurement taken, be filed with the

And if the seller do not attend, the buyer may proceed to prove the cloth, and the keeper of *Blackwell-Hall* to measure the same, and give a certificate of the true measure;

clerk

clerk of the peace for the county, city or place where such ad-measurement shall be taken, which certificate or certificates such clerk of the peace is hereby required to file among the records of such county or place, and for so doing shall receive only one shilling; and such certificate or certificates being so filed, as a-which shall be fore-
 said; shall be the rule of payment to the buyer, and shall be a conviction of the party offending.
 deemed, adjudged and taken to be a sufficient conviction of the party or parties offending, so as to make him, her or them forfeit and pay, as aforesaid; and an attested copy of such certificate or certificates, such clerk of the peace, or his deputy, is hereby obliged to give to any person or persons demanding the same, for which he shall receive one shilling, and no more; which attested copy, as aforesaid, shall be, and is hereby declared to be a sufficient authority to enable the clothier, owner or seller of any mixt or medley broad-cloth, to demand of the master, owner or occupier, or millman, the forfeitures deducted out of the price of any the cloths aforesaid, for want of length or breadth, contained in the seal or seals, as aforesaid; and upon refusal of payment, the said master, owner, occupier or millman, shall be subject to the penalties and forfeitures, as afterwards is herein provided for by this act.

V. And be it further enacted and declared by the authority All broad-cloths shall be exposed to sale in *England* (other than cloth made before the stamped with the watch-measure thereof on the seal of the master, owner, occupier or millman of the fulling-mill, by whom the said cloth was wetted, fulled and milled; and every clothier selling or putting to sale any of the said broad-cloth, before such time as all and every of the same cloths shall be sealed and stamped, as aforesaid, on which seal shall be specified the name of the said master, owner, occupier or millman of the fulling-mill, together with the contents of the said cloth in length and breadth, and marked with the distinguishing mark of a crown, which said mark shall be stamped on the rivet of the said seal, shall forfeit and pay the sixth part of the said cloth, to be levied, paid and disposed of, as is afterwards herein provided for by this act, and to no other use, intent or purpose whatsoever; any law, custom or usage to the contrary thereof in any wise notwithstanding.

Clothiers selling before sealed and stamp'd, to forfeit the sixth part of the cloth.

VI. Provided also, and be it further enacted and declared by The buyer to the authority aforesaid, That all mixt or medley broad-cloths, pay no more made or to be made before the commencement of this act, may, for proof thereof, be wetted and tried by water at the request of the buyer, as aforesaid; and if the same shall be found upon the proof thereof, by any two indifferent persons to be chosen, one by the buyer, and another by the seller, or by the third person by them to be chosen, or by the said keeper of *Blackwell-Hall*, as aforesaid to contain a less or smaller content in length or breadth than is contained or specified in every the seal or seals of the master, owner, occupier or millman of the fulling-mill or fulling-mills, then the said buyer or his agent shall be obliged to

for cloths made before this act, than the true contents thereof, and the clothier not liable to any penalty for short measure.

accept of the said cloths, and pay no more than for the true contents thereof ascertained and settled by the said measurement, as aforesaid, and the clothier, owner or seller, shall not be subject to any penalty for such short measure; any law, custom or usage to the contrary notwithstanding.

Offences to be determined by justices of the peace.

VII. And be it further enacted by the authority aforesaid, That all offences against this act shall be heard and determined by one or more justice or justices of the peace of the county, city, town or place where the same shall be discovered, or where such offender doth inhabit, such justice or justices being not concerned in the matter of the said complaint, upon the oath of one or more credible witness or witnesses, which oath such justice or justices of the peace is and are hereby impowered and required to administer: and that all and every the said penalties and forfeitures, which shall happen by virtue of this act, shall be distributed and paid, after the charges of such conviction being first deducted, if in *London*, to the use and benefit of *Christ's-Hospital*, if in any other place, to the use of the poor of the parish, township or place where the offence shall be discovered; and in case any offender shall neglect or refuse to pay any such penalties and forfeitures, being lawfully demanded, by the space of thirty days next after the conviction for such offence, as aforesaid, or in case the owner, master, occupier or millman, shall refuse or neglect to repay the forfeiture for want of sufficient length or breadth of admeasurement, as aforesaid, that then (and not before) it shall and may be lawful for the justice or justices of the peace, before whom such conviction was made, or where such owner, master, occupier or millman doth inhabit, and such justice or justices is and are hereby required to issue out one or more warrant or warrants, under his or their hands and seals, to the constable or constables of the parish, town or place where such offender shall inhabit or can be found, to levy the same by distress and sale of the offender's goods, returning the overplus (if any be) to the owner, and where no sufficient distress can be found, to commit the offender to the common gaol, or house of correction for the county or place where such offender shall be found, there to be kept to hard labour for and during the space of three calendar months.

Prosecution in 40 days.

VIII. Provided always, That all offences committed against this act, saving in the case of the owner, master, occupier or millman, upon refusal or neglect of repayment of the forfeitures for want of sufficient length or breadth in admeasurement, as aforesaid, shall be prosecuted within forty days after the offences are committed or discovered.

Persons sued may plead the general issue, &c. and shall recover treble costs.

IX. And be it further enacted by the authority aforesaid, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons, by this act authorized to put the same in execution, all and every person or persons so sued or prosecuted, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall be nonsuited, or forbear further prosecution, or suffer discontinuance, or

's verdict to pass against him, or judgment upon demurrer, the defendant or defendants shall recover his or their treble costs, for which he and they shall have like remedy as in cases where-in costs by law are given to defendants; and this act shall be taken and allowed a publick act in all courts within this kingdom; and all judges and justices of the peace are hereby required to take notice thereof as such, without special pleading the same.

To be deemed a publick act.

X. Provided always, That if any person or persons find him or themselves aggrieved by any order or warrant made by any justice or justices, upon any such conviction before him or them, as aforesaid, such person or persons may appeal to the next general quarter-sessions of the peace to be held for the county, riding or corporation, where such conviction shall be made, giving sufficient notice of such appeal; and the determination of such justices in such sessions shall be final, and the said justices shall allow such costs and charges to the party aggrieved, as they shall think reasonable, to be levied and paid in such manner as is usual in other cases of appeals from the orders of any justice or justices of the peace to the quarter-sessions.

Persons aggrieved by the justices order may appeal to the sessions, whose determination shall be final; and they shall allow costs to the party aggrieved.

XI. Provided, That nothing herein contained, or any the penalties or forfeitures which by means of this act may be incurred, shall extend or be construed to extend to affect any factor or his agent, who shall be only employed in the sale of mink or medley broad-cloth.

This act shall not affect any factor.

XII. And be it further enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and fifteen, every clothier, cloth-worker, cord-maker, or any other person concerned in the trade of the woollen manufacture, shall make payment in money to all and every person and persons any ways employed or concerned in the said woollen manufacture, for all work to be done in relation thereunto, and shall not in lieu of payment in money, impose upon or deliver to them, any or either of them, any sort of goods or wares whatsoever for such work; and in case any person or persons shall in lieu of payment in money, so impose upon or deliver unto any workmen or poor labourers, any goods or wares whatsoever for, in lieu of, or instead of money, every person or persons so offending shall for every such offence forfeit the sum of forty shillings, to be recovered and distributed in such manner as in and by this act is directed.

Clothiers, &c. to pay their workmen in money, on forfeiture of 40s.

XIII. And whereas by an act of parliament passed in the eighth & 9 W. 3. and ninth years of his late majesty King William the Third, intituled, An act to restore the market of Blackwell-Hall to the clothiers, and for regulating the factors there, it is, amongst other things, provided and enacted, That if the owner of the cloth shall neglect to sue for any of the penalties and forfeitures he shall be entitled to by virtue of the said act, by the space of six months next after the offence committed, then it shall and may be lawful for any other person to sue for and recover the same; and one moiety thereof shall be to the use of his Majesty, his heirs and successors, and the other moiety to the in-

c. 9.

None but the owner of the cloth unsatisfied shall sue the factor for former; not demand-

ing notes, pursuant to 8 & 9 W. 3. c. 9. Prosecutions for penalties by the said act to be begun in 12 months after the offence.

former; which general liberty of suing hath, by experience, been found to be very prejudicial: be it therefore enacted by the authority aforesaid, That no other person than the clothier, or owner of cloth unsatisfied, shall be capable of suing the factor, on account of not demanding notes pursuant to the said act; any thing therein contained to the contrary in any wise notwithstanding: and that no prosecution shall be brought or commenced for any the penalties or forfeitures mentioned in the said act, or by virtue thereof, by any person or persons, unless such prosecution shall be commenced or begun within twelve months next after the offence committed.

This act shall not extend to cloth made in Yorkshire, nor to repeal the authorities in the act of 7 Ann. c. 13.

Length and breadth of Yorkshire cloths, kerseys, &c.

Forfeiture for selling cloths wanting in length, &c.

and for overstretching them.

or fixing a mark other than his own.

XIV. Provided always, That any thing herein before contained shall not be construed to extend to any cloth made or manufactured within the county of *York*; or to repeal or any wise invalidate any of the authorities mentioned or contained in an act made in the seventh year of the reign of her late majesty *Queen Anne*, intituled, *An act for the better ascertaining the lengths and breadths of woollen cloth made in the county of York.*

XV. *And for making the same act more effectual*, be it further enacted by the authority aforesaid, That from and after the nine and twentieth day of *September* one thousand seven hundred and fifteen, all sorts of *Yorkshire* cloths, called whole thick kerseys, whole thick plains, huggabags and broken quilted kerseys shall not be made under eighteen yards in length, and not less than three quarters and an half in breadth by the standard yard-wand, when fully wet, and shall be contented and sealed in such manner as *Yorkshire* cloths are directed to be by the same act, under the penalties therein mentioned; and that if any clothier or other person shall, after the said twenty-ninth day of *September*, offer or expose to sale any of the aforesaid *Yorkshire* cloths, which shall be made after the said twenty-ninth day of *September*, and not made according to the same length and breadth, and be thereof convicted in such manner as offenders against the same act are to be convicted, he shall, for every inch the said respective *Yorkshire* cloths shall be less than the said breadth, and for every half yard they shall be less in length than eighteen yards, as aforesaid, forfeit the sum of twenty shillings; and that if any person shall, from and after the said twenty-ninth day of *September*, stretch or strain any of the aforesaid *Yorkshire* cloths when wet, scoured and milled, more than one inch in every quarter of a yard in the breadth, or more than half-yard in every eighteen yards in length, and so proportionably, or shall offer or expose to sale any of the said *Yorkshire* cloths, or any other *Yorkshire* cloths mentioned in the same act, that shall not be contented or sealed in such manner as *Yorkshire* cloths are by the same act directed to be contented and sealed, every such person so offending in any of those cases, and being thereof so convicted, as aforesaid, shall for every such offence forfeit the sum of twenty shillings; and that if any maker of any *Yorkshire* cloth, or other person concerned in that manufacture, shall at any time after the said twenty ninth day of *September*, fix, or cause to be fixed, any

any mark upon his cloth, whereby to distinguish the maker, thereof, other than his own christian name and surname, and place of his residence, or the first letters of such christian and surname, and place of residence, every such person so offending, and being thereof convicted, as aforesaid, shall for every such offence forfeit the sum of forty shillings, all which said respective forfeitures in relation to *Yorkshire* cloths shall be levied and paid in such manner, and to such uses, as forfeitures incurred by the same act are to be levied and paid, and any person offending in any of the cases aforesaid relating to *Yorkshire* cloths, upon whom such forfeitures cannot be levied for want of sufficient distress, shall be liable to such imprisonment and hard labour, for such time, and in such manner, as offenders against the same act are (for want of such distress) made liable to.

Forfeitures, how to be recovered.

XVI. Provided always, That the penalties incurred by reason of the same act, or of this act, in any matters relating to *Yorkshire* cloths, be inflicted within twenty-one days next after the offences are committed or discovered; and that if any person finds himself aggrieved by any order or warrant made by any justice or justices of the peace upon any such conviction, as aforesaid, in any matters relating to *Yorkshire* cloths, such person may appeal to the justices of the peace at the next general quarter sessions of the peace to be held for the county, riding or corporation where such conviction shall be made, giving sufficient notice of such appeal, and the determination of such justices in such sessions shall be final; and the said justices shall allow such costs and charges to the party, on whose behalf such appeal shall be determined as they shall think reasonable, to be levied and paid in such manner as is usual in other cases of appeals from the orders of any justices of the peace to the quarter sessions,

Penalties to be inflicted in 21 days after the offence.

Appeal to the sessions, whose determination shall be final,

with costs and charges.

C A P. XVI.

An act for the attainder of Henry viscount Bolingbroke of high treason, unless he shall render himself to justice by a day certain therein mentioned.

WHEREAS Henry viscount Bolingbroke hath been impeach- Preamble.
ed by the commons in parliament assembled, in the name of themselves and all the commons of Great Britain, of high treason, and other high crimes and misdemeanors; to which said impeachment, now remaining upon record in the house of peers, the said Henry viscount Bolingbroke hath not answered, but hath withdrawn himself from justice, without abiding his legal trial: be it enacted by the King's most excellent majesty, by and with the consent and advice of the lords spiritual and temporal, and commons, in this present parliament assembled, That if the said Henry viscount Boling- Clause of attainder.
broke shall not render himself to the usher of the black-rod attending the house of peers, or the constable or lieutenant of the Tower of London, for the time being, (who are hereby required to receive and keep him in safe custody) in order to his trial in parliament, at or before the tenth day of September next ensuing,

and also abide his legal trial for the treasons, high crimes and misdemeanors, whereof he stands impeached by the commons of Great Britain, then the said Henry viscount Bolingbroke, not rendering himself, or not abiding his legal trial; as aforesaid, shall, from and after the said tenth day of September, stand and be adjudged attainted of high treason, to all intents and purposes whatsoever, and shall suffer and forfeit as a person attainted of high treason by the laws of the land ought to suffer and forfeit.

C A P. XVII.

An act for the attainder of James duke of Ormonde of high treason, unless he shall render himself to justice by a day certain therein mentioned.

Preamble.

WHEREAS James duke of Ormonde hath been impeached by the commons in parliament assembled, in the name of themselves and all the commons of Great Britain, of high treason, and other high crimes and misdemeanors; to which said impeachments, now remaining upon record in the house of peers, the said James duke of Ormonde hath not answered, but hath fled from justice, &c.

C A P. XVIII.

An act for the better preventing fresh fish taken by foreigners being imported into this kingdom; and for the preservation of the fry of fish; and for the giving leave to import lobsters and turbot in foreign bottoms, and for the better preservation of salmon within several rivers in that part of this kingdom called England.

WHEREAS notwithstanding the many good laws made for the preservation and improvement of the fishery in that part of this kingdom called England, particularly an act of parliament made in the fifteenth year of the reign of his late majesty King Charles the

15 Car. 2. c. 7. Second, intituled, An act for the encouragement of trade; and

28 Car. 2. c. 2. one other act made in the eighteenth year of the reign of his said late Majesty, intituled, An act against importing cattle from Ireland, and other parts beyond the seas, and fish taken by foreigners, many evasions have of late years been invented and practised; whereby that useful design has been very much obstructed, and more especially by the fraudulent practices of divers persons trading in English smacks, and other vessels, who when they are off at sea, buy great quantities of fish caught by foreigners, and import and market the same in this kingdom, to the great discouragement and impoverishment of his Majesty's subjects, and manifest detriment of the fishery and navigation; for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of September one thousand seven hundred and fifteen, no herring, codd, pilchards, salmon or ling, fresh or salted, dried or bloated, nor any gril, mackarel, whiting, haddock,

After 29 Sept.
1715. no fish
taken by fo-
reigners, ex-
cept prote-
stants inhabit-
ing in Eng-
land, shall be
imported into
this kingdom.

addock, sprats, coal-fish, gull-fish, congers, nor any sort of at-fish, nor any other sort of fresh fish whatsoever, shall be imported into, sold or exposed to sale, in that part of this kingdom called England, which shall be taken by, bought of, or received from any foreigner or foreigners, or out of any stranger or strangers bottom, except protestant strangers inhabiting within this kingdom, nor shall any person or persons give or exchange any goods or other things in exchange for any sort of fish so taken, as aforesaid.

II. And be it further enacted, That every master or commander for the time being, of any smack, hoy, yager, boat, ship or other vessel, in which any fish shall be imported or brought to shore, contrary to the true intent and meaning of this act, being thereof lawfully convicted upon his appearance, or default made after due summons, before one or more justice or justices of the peace of the county, city or place where the offender shall reside or be found, by the oath of two or more credible witnesses, which oath such justice or justices are hereby impowered and required to administer, shall forfeit for every offence the sum of twenty pounds of lawful money of Great Britain, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal, or hands and seals of such justice or justices, rendering to the party the overplus, if any be; and in default of payment of the said twenty pounds, or sufficient distress, the same justice or justices shall commit every such offender to the common gaol of such county, city or place, there to suffer imprisonment during the space of twelve months.

Every master, &c. of any smack, &c. in which any fish shall be imported, shall forfeit 20 l. to be levied by distress;

or suffer 12 months imprisonment.

III. Provided, That nothing herein contained shall extend, or be construed to extend, to prevent the importing, buying or exposing to sale any eels, stock-fish, anchovies, surgeon, bot-targe, or caviar.

This act shall not extend to prevent the importing of eels, &c.

IV. And whereas of late years the breed and fry of sea fish has been greatly prejudiced and destroyed by the using of nets of too small size or mesh, and by other illegal and unwarrantable practices; be it enacted by the authority aforesaid, That from and after the twenty fifth day of September one thousand seven hundred and sixteen, if any person or persons shall use at sea, upon the coast of that part of Great Britain called England, any trawl-net, drag-net or set net whatsoever, for the catching of any kind of fish (except herrings, pilchards, sprats or lavidnian) which hath any mesh or make of less size than three inches and half at least from knot to knot, or which hath any false or double bottom, cod or pouch, or shall put any net or nets, though of legal size or mesh, upon or behind the others, in order to catch and destroy the small fish which would have passed through any single net of three inches and half mesh, all and every such person and persons so offending shall forfeit all and singular such net or nets, so used contrary to the true intent and meaning hereof, and also for every such offence the sum of twenty pounds of lawful money of Great Britain, to be recovered and levied in such

The meshes of nets to be of the size of 3 inches and an half from knot to knot,

except for catching of herrings, &c.

Nor shall any net, tho' of legal size, be put behind another,

on penalty forfeiture thereof, 1 20 l. to 1 20 l.

covered as
above.

manner and form as the penalty above inflicted upon the master of any vessel, wherein fish shall be imported contrary to this act, is above directed to be recovered and levied; and in default of payment of the said twenty pounds, or of sufficient distress, the offender to be imprisoned in like manner, during the space of twelve months.

One moiety to
the informer,
the other to
the poor.

V. And it is hereby further enacted, That all penalties and forfeitures mentioned in this act, except acts of illegal or false bottoms, cods or pouches, as aforesaid, (all necessary charges for the recovery thereof being first deducted) shall be distributed and disposed of in manner following, (that is to say) one moiety thereof to the informer, and the other moiety thereof to the poor of the parish where such offence shall be committed.

Illegal nets to
be burnt.

VI. And it is hereby further enacted and provided, That where any illegal nets of less mesh or moke than three inches and half at least from knot to knot, or of false or double bottom, cod or pouch, shall be proved, as aforesaid, to have been forfeited, such net or nets shall, by warrant of such justice or justices be publickly burnt.

Penalty of sell-
ing unsizeable
fish.

VII. And for the further preservation of the said fry of fish, be it enacted by the authority aforesaid, That if any person or persons shall, at any time after the twenty ninth day of September one thousand seven hundred and fifteen, bring to shore in that part of Great Britain called England, sell, offer or expose to sale, or shall exchange for any other goods, matter or thing, any unsizeable fish, that is to say, bret, turbet, brill or pearl, codlin, whiting, mullet, bass, place, soles or flounders, which shall not be of the severall lengths or sizes following, from the eyes to the utmost extent of the tail, (*viz.*) every bret or turbet, sixteen inches; every brill or pearl, fourteen inches; every codlin, twelve inches; every whiting, six inches; every bass and mullet, twelve inches; every sole, eight inches; every place or dab, eight inches; and every flounder, seven inches; all and every person and persons so offending shall for every such offence forfeit all and every such unsizeable fish so brought on shore, sold, offered or exposed to sale, or exchanged, as aforesaid, to the poor of the parish or place where such offence shall be committed, and also shall, for every such offence, forfeit and pay the sum of twenty shillings of lawful money of Great Britain, one moiety thereof to the informer, and the other moiety thereof to the poor of the parish or place where the offence shall be committed, and to be levied and recovered as other penalties by this act inflicted are directed to be levied and recovered; and in default of payment of the said forfeiture, or of sufficient distress for satisfaction thereof, the offender shall, by warrant of one or more justice or justices of the peace, be sent to the next house or houses of correction, or other common gaol or prison of any county, city, town or place where such offence shall be committed, there to be severely whipt, and kept to hard labour for the space of six days, and not longer than fourteen days.

VIII. Provided always, That where any person shall suffer imprisonment pursuant to this act, for any offence contrary hereunto, in default of payment of, or sufficient distress for any penalty hereby imposed; such person shall not be liable afterwards to pay such penalty. Persons suffering imprisonment not liable to such penalty.

IX. Provided also, That no person shall suffer any punishment for any offence committed against this act, unless the prosecution for the same be commenced within one month after such offence committed; any thing herein contained to the contrary notwithstanding. Prosecution in one month.

X. And whereas by an act made in the tenth and eleventh years of King William the Third, intituled, An act for making Billingsgate a free market for sale of fish, the importation of lobsters and turbets, in foreign vessels is prohibited: and whereas the said prohibition has made lobsters and turbets much dearer than they were before the passing the said act; for remedy whereof, and for the better supplying this kingdom with lobsters and turbets at reasonable rates, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person whatsoever, as well foreigners as British, freely to import, bring in, to, and sell in the kingdom of Great Britain, in any ship or vessel whatsoever, any quantity of lobsters or turbets, whether they be of foreign or British catching, in the same manner they might have done before the said recited act of the tenth and eleventh years of the reign of his late majesty King William was made; any thing in the said act, or any other act since made, or usage, to the contrary thereof in any wise notwithstanding. Lobsters and turbets may be imported as they might have been before the act 10 & 11 W. 3. c. 24.

XI. And whereas in an act of parliament passed in the fourth and fifth years of the reign of her late majesty Queen Anne, intituled, An act for the encrease and better preservation of salmon, and other fish in the rivers within the counties of Southampton and Wilts, there is contained a clause whereby it is enacted, That no person or persons (not being duly qualified) should thereafter kill, destroy, or wilfully hurt any salmon or salmon-kind, or any other fish; and that neither they, nor any other person or persons whatsoever, should or might, at any time or times after the thirtieth day of June which should be in the year of our Lord one thousand seven hundred and six, take, kill or destroy any salmon, salmon-peal, or salmon-kind, by hawks, racks, gins, nets, angles, or other devices whatsoever, until after the eleventh day of November in every year, or offer to sale any of the said fish so taken, under the pains, penalties, forfeitures and imprisonments in the said act mentioned; be it enacted by the authority aforesaid, That the said clause, so far as the same doth and may concern the respective owners and proprietors of the fishery and fishing in the respective rivers in the said act mentioned, and every other person and persons entitled to fish in the same, and every of them, and his and their respective servants and agents, and every of them, shall be and is hereby repealed, and be deemed and taken to be hereby repealed. The clause in 4 & 5 Ann. c. 21. relating to the catching of salmon, &c. repealed, so far as it relates to the owners of the fisheries therein mentioned.

XII. And it is hereby enacted by the authority aforesaid, That it shall and may be lawful for such owners, proprietors After Nov. 11, 1711 still Aug. 11, in every year, and

such owners,
&c. may take
salmon, &c.

and persons, and his and their servants and agents, and every, or any of them, at any time or times hereafter, from the eleventh day of *November*, which shall be in the year of our Lord one thousand seven hundred and fifteen, until the first day of *August* in every year; to take, kill or destroy any salmon, salmon-peel or salmon-kind, or offer to sale any of the said fish so taken between the times aforesaid.

No such owner
shall, after
Aug. 1. 1716.
till Nov. 11.
following, or
in any year
year between
those days,
take any sal-
mon, &c.

XIII. Provided, and it is hereby enacted by the authority aforesaid, That no such owner, proprietor or person aforesaid, or any of his or their servants or agents, shall or may at any time or times after the first day of *August* which shall be in the year of our Lord one thousand seven hundred and fifteen, and between that day and the twelfth day of *November* then next following, or at any time or times then after, between the first day of *August* and the twelfth day of *November* in any year, take, kill or destroy, or wilfully hurt any salmon, salmon-peel or salmon-kind, by hawks, racks, gins, nets, angles, or other devices whatsoever, or offer to sale any of the said fish so taken, under the like pains, penalties, forfeitures and imprisonments as are mentioned and contained in the said recited act.

XIV. And whereas the several acts of parliament heretofore made for the preservation of fishing within the rivers of this realm, have hitherto proved ineffectual in respect to the rivers Severn, Dee, Wyre, Teame, Were, Tecs, Ribble, Mersey, Dun, Ais, Ouse, Swale, Calder, Wharfe, Eare, Darwent and Trent, for want of a due encouragement to be given to such persons who could discover the many illegal practices and abuses done therein, and by reason of the dilatoriness and expensiveness of the suits and proceedings directed by the said acts for punishing such abuses; wherefore for remedy thereof, and for the better securing the spawn, fry, and young breed of salmon in the said rivers, be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time hereafter, lay or draw any kind of nets, engines or devices, or wilfully do or commit, or cause to be done or committed, any other act whatsoever in the said rivers, or in any of them, whereby the spawn, or small fry of salmon therein, or any kepper or shedder-salmons, or any salmon not being in length eighteen inches or more, from the eye to the extent of the middle of the tail, shall be taken, and killed or destroyed, or shall hereafter make, erect, or set any bank, dam, hedge or flank, net or nets cross the said rivers, or any part thereof, whereby the salmon therein may be taken, or hindered from passing or going up the said rivers to spawn, or shall at any time hereafter, between the last day of *July* and the twelfth day of *November* for ever, by or with any net, device, engine, ways or means whatsoever, take, kill, destroy, or wilfully hurt any salmon of any kind or size whatsoever in the said rivers, or shall at any time after the said twelfth day of *November* fish there for salmon with any other net or nets than what is or are allowed of by an act of parliament made in the first year of the reign of Queen Elizabeth, intituled, *An act for preservation of spawn and*

Destroying the
fry of salmon
in the rivers,
Severn, Dee,
&c.

and taking
salmon in the
said rivers be-
tween the last
of July and
Nov. 11. with
any other net,
&c. than are
allowed by
1 Eliz. c. 17.

fry

fry of fish; and by another act made in the thirtieth year of the reign of our late sovereign lord King Charles the Second, intituled, *An act for the preservation of fishing in the river Severn;* every person so offending in any of the said cases, who shall be convicted thereof before any justice or justices of peace of the county wherein the said offence shall be committed, either upon view of such justice or justices, by confession of such offender, or by one or more credible witness or witnesses upon oath (which oath every such justice of peace is hereby empowered to administer) shall forfeit the sum of five pounds for every such offence; besides the fish so taken, and the nets, engines and devices used in doing or committing the same; one moiety of the said sum to be paid to the informer or informers, and the other moiety thereof to the poor of the parish where the said offence shall be committed; to be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of the justice or justices of peace before whom he shall be convicted, as aforesaid, rendering the surplus, if any be, over and above the charges of the distress, to the person so distrained; and for want of such distress the offender shall be committed to the house of correction, or other county gaol or prison, for any time not exceeding three months; not less than one month, there to be kept to hard labour, and suffer such other corporal punishment as the said justice or justices, upon consideration of the circumstances of such offence, shall think fit; and the said justice or justices of the peace, before whom the person so offending shall be convicted, shall order such nets, engines and devices made use of in taking such fish, to be seized and immediately cut in pieces, or otherwise destroyed in his or their presence, and shall also cause such banks, dams, hedges or stanks, made or erected cross the said river, to be demolished and removed at the charges of such offender, such charges if not paid down on conviction, to be levied in the same manner as the said sum of five pounds is appointed to be levied.

XV. *And whereas several fishmongers of London and other cities and towns, by themselves, or their agents, frequently buy and contract with the fishermen using the said rivers of Severn, Dee, Wye, Trent, Ure, Tees, Ribble, Mersey, Don, Aire, Ouse, Swale, Calder, Wharfe, Eure, Darwent and Trent, or others employed by them, for great quantities of salmon to be taken in the said rivers; which gives great encouragement to the taking salmon there of unfixable length, and at unfavourable times; be it therefore further enacted; That no such salmon shall be sent to London to such fishmongers, or their agents, that shall weigh less than six pounds each fish; and every person buying, selling or sending any such salmon of less weight than six pounds, who shall be convicted thereof in manner as aforesaid, shall forfeit the sum of five pounds for every such offence, besides the fish so to be bought and sold; one moiety of the said sum and fish to be paid and distributed to the informer or informers, and the other moiety thereof to the poor of the parish where such offence shall*

and 30 Car. 2.
stat. 1. c. 9.

the offender
shall forfeit 5l.
besides the fish
and nets; to
be levied by
distress

and for want
thereof, be
committed to
the house of
correction, &c.
and the nets,
&c. to be de-
stroyed,

and banks, &c.
removed at the
charges of the
offender.

Sending to
London from
the said rivers,
or buying, &c.
any salmon
less than six
pounds weight
each,

forfeits 5l.

to be levied by distress, shall be committed; the said sum, if not paid upon conviction, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of the justice or justices of peace, before whom he shall be convicted, as aforesaid, rendering the overplus, if any be, over and above the charges of such distress, to the owner; and in default of sufficient distress, the offender shall be committed by such justice or justices to the house of correction, or other county-gaol or prison, there to be kept to hard labour for the space of three months, unless the said forfeiture shall be in the mean time paid.

Offenders punished by this act, shall not incur the penalty of any other law. XVI. Provided, That where any offender in the said rivers, or in any of them, shall be punished by force of this act, he shall not be prosecuted, nor incur the penalty of any other law or statute for the same offence.

Appeal to sessions, whose determination shall be final. XVII. Provided also, and it is hereby enacted, That all persons who shall think themselves aggrieved by any judgment of any justice or justices of the peace, in any of the cases aforesaid, may appeal to the justices of the peace of the county, city or place where such judgment shall be given, at their next general quarter session, who are hereby empowered to hear and finally determine the same.

The owners of ancient weirs and locks, may repair them, &c. notwithstanding this act. XVIII. Provided, That this act, or any thing herein contained, shall not extend or be construed to extend, to any ancient weirs or locks upon any rivers; but that it shall and may be lawful for the proprietors or owners thereof to repair, maintain, rebuild, remove or take down any of the said weirs or locks, as they might have done in case this act had not been made.

C A P. XIX.

An act for raising nine hundred and ten thousand pounds for publick services, by sale of annuities, after the rate of five pounds per centum per annum, redeemable by parliament; and to authorize a treaty concerning private rights claimed by the proprietors of the sugar-houses in Scotland.

For the application of money arising by this act, See 1 Geo. 2. Stat. 2. C. 21. f. 28. 1 Geo. 2. Stat. 2. C. 22. MOST gracious Sovereign, Whereas in and by an act of this session of parliament, intituled, An act for enlarging the fund of the governor and company of the bank of England, relating to Exchequer-bills; and for settling an additional revenue of one hundred and twenty thousand pounds per annum upon his Majesty during his life, for the service of the civil government; and for establishing a certain fund of fifty four thousand six hundred pounds per annum, in order to raise a sum not exceeding nine hundred and ten thousand pounds for the service of the publick, by sale of annuities, after the rate of six pounds per centum per annum, redeemable by parliament, it is, amongst other things enacted, That for raising a sum not exceeding nine hundred and ten thousand pounds, as part of the necessary supply for the service of your Majesty's navy and forces, and other publick occasions,

a certain yearly sum of fifty-four thousand six hundred pounds, from the feast of St. Michael the archangel in the year of our Lord one thousand seven hundred and fifteen, for ever, shall, by quarterly payments at the four most usual feasts of the year, by equal portions, without any deduction or abatement whatsoever, be separated and set apart at the receipt of the Exchequer, out of the monies of a general or aggregate fund arising and to arise by several duties and revenues in and by the said act appropriated for that and other purposes therein particularly expressed; and that the said yearly sum of fifty four thousand six hundred pounds, shall, from time to time be issued and applied to answer and satisfy such perpetual annuities as should be purchased after the rate of six pounds per centum per annum, subject nevertheless to be redeemed according to the true intent and meaning of such act or acts of parliament as should be passed in that behalf: and whereas it is by the aforesaid act provided, That from and after the complete paying off and discharging all the principal and interest which shall be due upon all the Exchequer-bills therein mentioned, and cancelling the same, and full payment of all arrearages (if any shall be then due) for and upon the allowances, yearly sums, and deficiencies therein expressed; then and not till then, the said general or aggregate fund by that act established for the several purposes aforesaid, and all the subsidies, duties and revenues contained therein, shall be understood to be redeemed by parliament, other than and except certain particular subsidies and duties therein described, that is to say, the subsidies and duties called the two thirds of a subsidy of tonnage and poundage, upon goods and merchandizes imported, and certain duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, pictures, and muslins, and certain increased duties upon coffee, cocoa-nuts, chocolate, cocoa-paste, tea, nutmegs, cinnamon, cloves, mace, and pictures, and certain further duties upon all white calicoes, China ware, and drugs: and it is by the same act also enacted, That all the said particular subsidies and duties so excepted, shall be continued for answering and paying out of the same (amongst other payments therein mentioned) all the monies which after such redemption shall grow due for and upon the said yearly sum of fifty four thousand six hundred pounds for the payment of the said annuities, after the rate of six pounds per centum per annum, intended to be purchased, as aforesaid, and that the same annuities should continue for ever, unless they be redeemed by parliament; and that the said particular subsidies and duties so continued for answering such payments, or so much thereof as should be sufficient to pay the same, are and shall be appropriated, issued, and applied thereunto, in such manner as in and by the said act in part before recited (relation thereunto being had) may more fully appear; and whereas it is conceived, That the said sum, not exceeding nine hundred and ten thousand pounds for the service of the publick, may be raised by sale of annuities, after the rate of five pounds per centum per annum, and consequently that forty five thousand five hundred pounds per annum, part of the said sum of fifty four thousand six hundred pounds per annum, will be a sufficient fund for answering the said annuities at that rate, until such redemption: now for the encouragement of such per-

sons

sons and corporations as are or shall be willing to advance, for the service of the publick, any sum or sums of money, not exceeding nine hundred and ten thousand pounds, for purchasing annuities at the said rate of five pounds per centum per annum, to be settled upon the said yearly sum of forty-five thousand five hundred pounds, part of the said yearly sum of fifty-four thousand six hundred pounds, until redemption by parliament, according to the tenor and true meaning of this act: we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do humbly beseech your Majesty, that it may be enacted and declared, and be it enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the yearly sum of forty-five thousand five hundred pounds, part of the said yearly sum of fifty-four thousand six hundred pounds, is and shall be a distinct and separate fund, and be issued and applied as this act directs, for answering and paying the said annuities, after the rate of five pounds per centum per annum, to be purchased upon this act, by quarterly payments, until the redemption thereof by parliament, according to the proviso herein after specified: any thing in this or in the said recited act, or in any other law or statute whatsoever, to the contrary in any wise notwithstanding.

45,500 l. to be the yearly fund for paying the annuities, at 5 l. per cent.
See 9 Geo. 1. c. 5.
10 Geo. 1. c. 5.
1 Geo. 1. stat. 2. c. 12.

Officers, cashiers, &c. liable to the act
9 W. 3.

II. And be it enacted by the authority aforesaid, That all officers, cashiers, and other persons whatsoever, who are or shall be concerned in raising, receiving, or accounting for the several duties or revenues, out of which the said yearly sum of forty-five thousand five hundred pounds, part of the said yearly sum of fifty-four thousand six hundred pounds, is to be supplied, as aforesaid, or any of them, or in separating, paying, applying, or accounting for the said yearly sum of fifty-four thousand six hundred pounds, or any part thereof, during the continuance thereof, or any part thereof, shall perform their several duties in the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures and disabilities, for any offence or neglect therein, or for detaining, diverting or misapplying any part of the said yearly sum of fifty-four thousand six hundred pounds, or of the said yearly fund of forty-five thousand five hundred pounds to be supplied out of the same, or the monies appointed for raising them, or either of them, or any part thereof, as are prescribed and to be inflicted by virtue of an act of parliament made and passed in the ninth year of the reign of King William the Third, of glorious memory, intituled, *An act for raising a sum, not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East-Indies*, for the like offence or neglect, relating to the duties thereby granted or referred to, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last mentioned.

9 & 10 W. 3. c. 44.

III. And be it enacted by the authority aforesaid, That year-ly

and every year, from and after the feast of Saint *Michael* the archangel, in the year of our Lord one thousand seven hundred and fifteen, for ever, the said yearly sum of forty-five thousand five hundred pounds, arising as aforesaid, into the receipt of the Exchequer, shall be the whole and entire yearly fund; and in case all the monies arising into the Exchequer, as aforesaid, shall not in any such year amount to so much as forty-five thousand five hundred pounds, then the monies so arising, so far as they will extend, shall be part of the yearly fund for or towards the answering and paying all the annuities after the rate of five pounds *per centum per annum*, to be purchased upon this act: and that all and every deficiency and deficiencies of the said whole yearly sum of forty-five thousand five hundred pounds, or any part thereof, which shall appear at the end of any one year, to be reckoned as aforesaid, for payment of such annuities as shall be purchased upon this act at the rate aforesaid, for the same year respectively, shall be supplied or made up, from time to time, out of the first aids to be granted in parliament next after such deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as such aid shall be granted.

Deficiency to be supplied out of the first aids in parliament.

IV. And it is hereby enacted, That all the monies by this or the said recited act, required to be brought into the Exchequer, or to be there set apart, for or upon account of the said yearly sum of fifty-four thousand six hundred pounds, shall be fairly and duly entered in one or more book or books to be kept in the offices of the auditor of the receipt, and clerk of the pells, for that purpose, to which all persons concerned at all seasonable times shall have free access without fee or charge.

All the monies to be entered in a book.

V. And for raising any sum and sums of money, not exceeding in the whole the said sum of nine hundred and ten thousand pounds for publick services as aforesaid: be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, advance, and pay to the first or chief cashier of the governor and company of the bank of *England*, for the time being, at or before the respective days and times by this act limited in that behalf, any sum or sums of money, not exceeding in the whole the said sum of nine hundred and ten thousand pounds, for the purchase of any annuity or annuities, to commence from the said feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and fifteen; and to be paid and payable to such contributor or contributors, or such as he, she, or they shall nominate, his, her, or their executors, administrators, successors, or assigns respectively, until the same shall be redeemed according to the tenor or true meaning of the proviso or condition herein after mentioned in that behalf; so as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of his Majesty's treasury now being, or of the high treasurer or commissioners of the treasury, for the time being, for duly answering

Any persons may be contributors.

Times of pay-
ment.

Cashier to give
a receipt to
contributors,

and to pay in-
to the Exche-
quer, &c.

Accountant
general of the
bank to keep
a book of the
contributors,
&c.

swearing and paying into the receipt of the Exchequer, for the publick use, the monies so to be advanced or contributed, and to account duly for the same; which annuities before-mentioned shall be computed at the rate of five pounds *per centum per annum*, for every one hundred pounds, and proportionably for any greater sum so to be advanced or paid; and the purchase-money for every such annuity at the rate aforesaid, is hereby appointed to be paid to the said cashier, as aforesaid, at or before the respective days and times herein after limited, that is to say, one fifth part thereof on or before the twenty-ninth day of *September* in the year of our Lord one thousand seven hundred and fifteen; one other fifth part thereof on or before the twenty-ninth day of *November* in the year of our Lord one thousand seven hundred and fifteen; one other fifth part thereof on or before the twenty-eighth day of *January* then next ensuing; one other fifth part thereof on or before the twenty-ninth day of *March* then next following; and the remaining fifth part thereof on or before the twenty-ninth day of *May* which shall be in the year of our Lord one thousand seven hundred and sixteen; all which annuities so to be purchased, shall not exceed in the whole the said sum of forty-five thousand five hundred pounds *per annum*, and shall be paid and payable at the four most usual feasts or days of payment in the year, that is to say, the feasts of the birth of our Lord Christ, the annunciation of the blessed virgin *Mary*, the nativity of Saint *John* Baptist, and Saint *Michael* the archangel, by even and equal portions, or within six days after every of the said feast-days; the first payment thereof to be due at the feast of the birth of our Lord Christ, which shall be in the year of our Lord one thousand seven hundred and fifteen, or within six days after the same feast-day; nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise; and the said cashier of the said governor and company, for the time being, is hereby authorized and required, upon the advancing and paying to him any such sum and sums of money, as aforesaid, forthwith to give a receipt in writing, signed by himself, for each payment, to the contributor or payer thereof; and from time to time to pay into the receipt of his Majesty's Exchequer all the monies which he shall receive, of or for the said sum not exceeding nine hundred and ten thousand pounds, as fast as he shall receive the same, or any part thereof, or within five days at the farthest; and to account for all the monies so to be advanced to him, in his Majesty's court of Exchequer, according to the due course thereof; in which account the said cashier shall have just allowance of all monies which he shall have paid for prompt payments pursuant to this act.

VI. And it is hereby enacted, That in the office of the accountant general of the governor and company of the bank of *England*, for the time being, there shall be provided and kept a book or books, in which there shall be fairly entred the names of

of all who shall be contributors for such annuities after the rate of five pounds *per centum per annum*, as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book it shall be lawful for the said respective contributors, their executors, administrators, successors and assigns, from time to time, at all reasonable times, to have resort, and to inspect the same without fee or charge; and the said accountant general, for the time being, shall on or before the twenty-fourth day of *June* one thousand seven hundred and sixteen, transmit an attested duplicate, fairly written in paper, of the said book or books into the office of the auditor of the receipt of his Majesty's Exchequer, there to remain for ever.

VII. And it is hereby enacted by the authority aforesaid, That all and every the annuities, so to be purchased at the rate aforesaid, shall be and are hereby charged upon, and shall be paid and payable, from time to time, out of the monies arising and to arise, of or for the said yearly fund of forty-five thousand five hundred pounds, or by other the provisions or supplies made or to be made by or in pursuance of this act, for the payment thereof, in the manner and form by this act prescribed in that behalf; and that all and every contributor and contributors upon this act, duly paying the consideration or purchase-money at the rate aforesaid, at or before the respective days and times in this act limited in that behalf, for such annuity or annuities, as aforesaid, or such as he, she or they shall appoint, his, her or their respective executors, administrators, successors and assigns, shall have, receive and enjoy, and be entitled by virtue of this act, to have, receive and enjoy the respective annuity and annuities so to be purchased out of the monies by this act appropriated or appointed, or to be supplied for payment thereof, as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption in this act afterwards contained concerning the same; and that all the said annuities to be purchased on this act, and the principal monies paid for the same, and every of them, during the continuance thereof, shall be free from all taxes, charges and impositions whatsoever.

Annuities charged on the fund of 45,500 l. &c.

Tax-free.

VIII. And for the more easy and sure payment of the said annuities, to be purchased, as aforesaid, according to the true meaning of this present act; it is hereby further enacted by the authority aforesaid, That the governor and company of the bank of England, and their successors, shall from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person, within their office in the city of London, to be their chief or first cashier, and one other sufficient person, within the same office, to be their accountant general; and that so much of the monies which shall or ought to be from time to time separated or set apart in the receipt of Exchequer, for or upon account of the said yearly fund of fifty four thousand six hundred pounds, for answering the said annuities

Bank to employ a chief cashier and accountant general.

The cashier to receive the fund at the Exchequer quarterly, &c.

ties to be purchased upon this act, as shall bear a full proportion to the whole sum, which shall be advanced or contributed upon this act, after the said rate of five pounds *per centum per annum*, shall by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or of the high treasurer, or commissioners of the treasury of his Majesty, his heirs and successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, be from time to time, quarterly, as aforesaid, issued and paid at the said receipt of Exchequer, to the said first or chief cashier of the said governor and company of the bank of *England*, and of their successors for the time being, by way of imprest, and upon account, for the payment of the said annuities to be purchased upon this act, at such times, and in such manner and form as are by this act prescribed in that behalf; and that all and every such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time without delay, apply and pay the same accordingly, and render his accounts thereof according to the due course of the Exchequer; any thing herein contained to the contrary notwithstanding.

Accountant
general to in-
spect the re-
ceipts of the
cashier.

IX. And it is hereby also enacted, That the said accountant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier, and the vouchers relating thereunto, in order to prevent any fraud, negligence or delay; and that all and every person and persons whatsoever, who shall be entitled to any of the said annuities after the rate of five pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof, as of a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attachment by the custom of *London*, or otherwise; any law, statute or custom to the contrary notwithstanding.

Annuities a
personal
estate, &c.

Interest at 8 l.
per cent. for
prompt pay-
ment.

X. And for the encouragement of the contributors to advance and pay readily to the said cashier the sums by them intended to be advanced upon this act; it is provided and enacted by the authority aforesaid, That every such contributor who shall advance and pay to the said cashier within the times limited by this act, the purchase-money payable for any annuity or annuities at the rate aforesaid, his, her or their executors, administrators, successors and assigns respectively, shall be allowed and paid out of the contribution-money arising by this act, interest, after the rate of eight pounds *per centum per annum*, for the prompt payment of the purchase-money, or of such proportions of the purchase-money as shall be so advanced before the twenty-ninth day of *September*, one thousand seven hundred and fifteen: the said interest to be computed for the respective sums so advanced and paid to the said cashier, from the time or respective times of the actual advancing and paying the same to the said cashier until the said twenty-ninth day of *September* one thousand seven hundred and fifteen.

XI. And be it further enacted by the authority aforesaid,
That

That all the monies to be advanced or contributed upon this act for or towards the said sum, not exceeding nine hundred and ten thousand pounds, shall be deemed, reputed and taken to be one capital or joint-stock, on which the said annuities, after the rate of five pounds *per centum per annum*, shall be attending; and that all and every person and persons and corporations whatsoever, in proportion to the money by him, her or them advanced upon this act, shall have and be deemed to have an interest or share in the said stock, and in the proportional annuity attending the same, at the rate aforesaid, for the monies so by him, her or them advanced; and that the said capital or joint-stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable as this act directs, and not otherwise; and that there shall be constantly kept at all reasonable times in the office of the said chief accountant for the time being, within the city of London, a book or books, wherein all assignments or transfers of the said stock, or any part thereof, and the proportional annuity attending the same, at the rate aforesaid, shall be entred and registred, which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or (if such party be absent) by his, her or their attorney thereunto lawfully authorized by writing under his, her or their hands and seals, to be attested by two or more credible witnesses; and that the person or persons to whom such transfer shall be made, do underwrite his, her or their acceptance thereof; and that no other method of assigning or transferring the said stock and annuities attending the same, or any part thereof, or any interest therein, shall be good or available in law.

All the monies advanced to be a joint stock, &c.
12 Geo. 1. c. 29

A transfer book to be kept by the chief accountant, &c.

XII. Provided always, That any person or persons possessed of such stock, with the annuity or annuities attending the same, or any estate or interest therein, may devise the same by will in writing, attested by two or more credible witnesses, but that such devisee shall receive no payment thereupon, till so much of the said will as relates to the said stock or annuity, be entred in the said office, and in default of such transfer or devise, the said stock and annuities attending the same, shall go to the executors or administrators; and that no stamp-duties whatsoever shall be chargeable on the said transfers, or any of them; any other law or statute to the contrary notwithstanding.

Devisee of annuities to be entred in the office.

XIII. And it is hereby enacted and declared, That all persons who shall accept any assignment or transfer of any stock from any contributor, who shall have paid only part of the contribution-money for the same, to the use of the publick, shall be liable to pay the residue of the said contribution-money, and to such forfeitures for non-payment thereof, as the original contributor would have been liable if no such transfer had been made.

No stamp-duties.

Assignee of stock liable to pay the residue of contribution-money, &c.

XIV. Provided always, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain any of the annuities at the rate aforesaid, upon this

No contribution after 19 Sept. 1715.

act, unless the whole or one fifth part at least of the consideration-money for the same, at such rate as aforesaid, be advanced and paid to the said cashier on or before the said twenty-ninth day of *September* one thousand seven hundred and fifteen.

Penalty for not paying by the times appointed.

XV. Provided also, That in case any such contributor, as aforesaid, who shall on or before the said twenty-ninth day of *September* one thousand seven hundred and fifteen, have advanced to the said cashier one fifth part of his, her or their said purchase-money, or his, her or their executors, administrators, successors or assigns, do not advance and pay to the said cashier, one other fifth part of his, her or their consideration-money so to be paid for such respective annuity or annuities, as aforesaid, on or before the twenty-ninth day of *November* then next ensuing; and one other fifth part thereof, on or before the twenty-eighth day of *January* then next coming; one other fifth part thereof, on or before the twenty-ninth day of *March* then next following; and the remaining fifth part thereof on or before the twenty-ninth day of *May* which shall be in the year of our Lord one thousand seven hundred and sixteen; then and in every such case respectively, so much of the consideration-money as shall have been actually paid for the first payment to the said cashier for such respective annuity, shall be forfeited for the benefit of the publick, and no interest, at the rate aforesaid, shall be payable for the said first payment; any thing in this act contained to the contrary notwithstanding.

Bank to continue a corporation till the annuities are redeemed, &c.

XVI. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors (notwithstanding the redemption of all or any their own funds, in pursuance of the acts for establishing the same, or any of them) shall continue a corporation, with all the powers, privileges and advantages thereunto belonging, for the purposes in this act expressed, till all the annuities to be purchased on this act shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company, or any members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

No fees to be taken.

XVII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity whatsoever shall or may be demanded or taken of any of his Majesty's subjects, for receiving or paying the said contribution-monies, or any of them, or for any tallies, or other receipts concerning the same, or for issuing the said yearly fund, or any part thereof, or for paying the said annuities, or any of them; and that no fee or gratuity shall be demanded or taken for any transfer of any sum great or small, to be made in pursuance of this act; upon pain that any officer or person offending, by taking or demanding any fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs, in any of his Majesty's courts of record at *Westminster*.

XVIII. Provided always, and it is hereby enacted by the authority

authority aforesaid; That at any time upon one year's notice and repayment by parliament of the said sum of nine hundred and ten thousand pounds, or so much thereof as shall be advanced upon this act, unto the respective contributors of the same, or to such person and persons, as by, from or under them, shall be then entitled to the said annuities, after the rate of five pounds *per centum per annum*, in respect of the money so advanced, according to such interests as they respectively shall then have in the same annuities, and also upon full payment and satisfaction of all arrears of the said annuities, after the rate of five pounds *per centum per annum*, if any shall be then due, then and not till then, the said annuities, after the rate of five pounds *per centum per annum*, shall cease and determine, and from thenceforth so much of the said general or aggregate fund, and of the said particular duties chargeable with the said annuities, as aforesaid, as the same annuities shall amount unto, shall be understood to be redeemed by parliament, but without prejudicing any other of the yearly sums or payments, by this or the said recited act charged or intended to be charged on the said general or aggregate fund, or upon the said particular duties which shall then remain to be satisfied out of the same; any thing herein contained to the contrary in any wise notwithstanding.

When these annuities shall be redeemed.
10 Geo. 1. c. 5.

XIX. And whereas several exemptions from customs and excise have been, and are claimed as private rights by the proprietors of the sugar-houses in Scotland, touching which exemptions several questions have arisen, not as yet decided: and whereas it is evidently prejudicial to his Majesty's revenue, and to all other traders in sugars, and distilling of spirits, that such exemptions should subsist and continue; and yet nevertheless it is just that reasonable satisfaction should be made to the said proprietors for any such private rights; be it therefore enacted by the authority aforesaid, That the commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall be and are hereby impowered to treat with the proprietors of the sugar-houses aforesaid, for such a sum or sums of money as may be a reasonable satisfaction for such private rights of exemption from custom and excise, to which the proprietors are entitled.

Clause-for a treaty concerning private rights claimed by the proprietors of the sugar-houses in Scotland.

By 8 Geo. 1.

c. 4. s. 6, 7, 8. Such proprietors are to pay duties after March 1722.

XX. Provided always, and it is hereby enacted, That the commissioners of the treasury, or high treasurer for the time being, shall have power to allow to the cashier or cashiers, who shall receive the said contribution or advance-money, not exceeding nine hundred and ten thousand pounds, as aforesaid, for his or their pains and charges in receiving and accounting for the same, a sum not exceeding five hundred pounds, out of the contribution or advance-money aforesaid, and shall also have power (out of the remainder of the said yearly sum of fifty-four thousand six hundred pounds, to arise over and above so much as shall be sufficient, from time to time, to discharge all monies which shall be due on the annuities to be purchased on this act) to allow and pay to the said cashier for the time being, a salary or allowance not exceeding two hundred and fifty pounds *per annum*, for receiving the money

The cashier and accountant general's salary, &c,

ney to pay the annuities upon this act, and applying the same to that use, and for his pains and charges in keeping and rendering his accounts thereof; and a salary or allowance not exceeding two hundred pounds *per annum* to the said accountant general for the time being, for his service and charge in performing the duty and trust incumbent upon him by this act; any thing in this or any other act contained to the contrary notwithstanding.

C A P. XX.

An act for encouraging all superiors, vassals, landlords and tenants in Scotland, who do and shall continue in their duty and loyalty to his majesty King George; and for discouraging all superiors, vassals, landlords and tenants there, who have been or shall be guilty of rebellious practices against his said Majesty; and for making void all fraudulent entails, tailzies and conveyances made there, for barring or excluding the effect of forfeitures that may have been, or shall be incurred there on any such account; as also for calling any suspected person or persons, whose estates or principal residence are in Scotland, to appear at Edinburgh, or where it shall be judged expedient, to find bail for their good behaviour; and for the better disarming disaffected persons in Scotland.

WHEREAS the person who, in the life of the late King James, pretended to be prince of Wales, and since his decease has taken upon him the stile and title of King of England, by the name of James the Third, and King of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, being bred in the principles of popery and tyranny, has presumed to declare his intention to make an invasion upon Scotland, or some other part of his Majesty's kingdom of Great Britain, or his other dominions, meaning to seduce his Majesty's subjects from their duty and allegiance, and to overturn the settlement of the succession in the protestant line, upon which the subversion of the reformed religion in these kingdoms, and ruin of the liberty of the subject must follow of necessary consequence: and whereas in such conjuncture especially, it is most just to punish rebellious subjects, and at the same time to reward such as continue firm and loyal to his Majesty's person and government; therefore be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That if any of his Majesty's subjects of Great Britain, having lands or tenements in Scotland, in property or superiority, has been or shall be guilty of high treason, by holding, entertaining or keeping any intelligence or correspondence in person, or by letters, messages, or otherwise, with the said pretender, or with any person or persons employed

by

Persons holding lands, &c. in Scotland, in property or superiority, and adhering to the preten-

by him, knowing such person to be so employed, or shall, by bill of exchange or otherwise, remit or pay any sum or sums of money for the use or service of the said pretender, knowing such money to be for such use or service, and that whether the said facts or things be done within or without this realm, or has been or shall be adherent to the said pretender in this realm, giving him aid or comfort in this realm, or elsewhere, every such offender, who shall be thereof duly convicted and attainted, shall be liable to the pains, penalties and forfeitures for high treason, all and every vassal and vassals in *Scotland*, who shall continue peaceable and in dutiful allegiance to his Majesty, his heirs and successors, holding lands or tenements of any such offender who holds such lands or tenements immediately of the crown, shall be vested and seized, and are hereby enacted and ordained to hold the said lands or tenements of his Majesty, his heirs and successors, in fee and heretage for ever, by such manner of holding as any such offender held such lands or tenements of the crown at the time of the attainder of such offender; and where lands or tenements belonging to any such peaceable and dutiful subjects to his Majesty, his heirs or successors, lie within any regality or constabulary in *Scotland*, the same shall be and they are hereby dissolved from every such regality or constabulary for ever; and in like manner all and every tenant and tenants in *Scotland*, who shall continue peaceable and in dutiful allegiance to his Majesty, his heirs and successors aforesaid, bruicking and occupying any lands, milns, mines, woods, fishings or tenements, as tenant or tenants, taxman or taxmen, from and under any such offender shall, and they are hereby ordained to bruick and occupy all and every such lands, mines, milns, woods, fishings and tenements, for the space of two years or crops, to be accounted from and after such attainder, freely, without payment of any rent, duty or service for the said two years or crops; and the court of Exchequer in *Scotland* is hereby authorized and required, on production of any such attainder, to revise, compound and pass signatures, and that without paying any composition in favours of every such vassal or vassals, and his, her or their heir or heirs of the said lands and tenements above-mentioned respectively, to be holden of his Majesty, his heirs and successors, in fee and heretage for ever, and by such holdings as is above-mentioned, with clauses of *nova damus*, and (where such lands or tenements hold waird or *few cum maritagio*, or with clauses irritant) with change of holdings from waird to taxed waird, according to the rules now observed in the court of Exchequer in *Scotland*, dispensing with recognition and clauses irritant in favours of the crown in time coming, in the most ample and best form, to the end that chartours and infeftments may be thereupon duly expded.

II. And be it further enacted by the authority aforesaid, That if any subject of *Great Britain*, holding lands or tenements of a subject superior in *Scotland*, has been or shall be guilty of such high treason or treasons, as aforesaid, every such offender, who

shall be liable to the pains, &c. of high treason.

And peaceable vassals holding lands of such offender shall hold them of the crown.

And if such lands lie within any regality, they shall be dissolved therefrom.

20 Geo. 2. c. 43. Tenants continuing dutiful to his Majesty shall hold their lands, &c. of persons attainted without paying any rent, &c. for two years.

Exchequer in Scotland to pass signatures in favour of such vassals without any composition.

The lands of tenants guilty of treason shall recognise into the hands

of the superi-
ors.

By 5 Geo. 1.
c. 22. s. 10.
superiors, &c.
are to pay a
proportionable
share of the
debts of at-
tainted persons.

shall be thereof duly convicted and attainted, shall be liable to the pains, penalties and forfeitures for high treason, and his lands or tenements held of any subject superior in Scotland, shall recognise and return into the hands of the superior, and the property shall be and is hereby consolidated with the superiority, in the same manner as if the same lands or tenements had been by the vassal resigned into the hands of his superior *ad perpetuam remanentiam*; and in case any tenant or tenants, taxman or taxmen, bruicking and occupying any lands, mines, milns, woods, fishings or tenements, being guilty of such high treason or treasons, as aforesaid, and shall be thereof duly convicted and attainted, the title by which all and every such tenant or tenants, taxman or taxmen, does bruick or occupy, as aforesaid, shall cease and become void; and the lands, mines, milns, woods, fishings and tenements so bruicked or occupied, together with the single and life-rent escheat of such tenant or tenants, taxman or taxmen, shall return to and be enjoyed and possessed by the person or persons from or under whom such title is derived respectively, who shall continue peaceable and dutiful to his Majesty, his heirs and successors.

Superiors, &c.
shall obtain
themselves in-
feft within six
months, o-
therwise the
forfeitures
shall belong to
the crown.

III. *And for preventing of frauds or collusion in order to evade this act*; be it further enacted by the authority aforesaid, That if the superiors, vassals or tenants, to whom the lands, mines, milns, woods, fishings and tenements above-mentioned, are declared and ordained to belong, shall not within six months, to be reckoned from the time of the attainder of the offenders respectively, obtain themselves infeft, or do diligence really and without collusion for attaining possession, in every such case the forfeitures shall belong to his Majesty, his heirs and successors.

Who shall
have the be-
nefit of this
act.

IV. Provided always, That none of his Majesty's subjects, whether superior, vassal or tenant, shall have the benefit of this act, excepting such who being lawfully called out or required to join with his Majesty's host in opposition to the said pretender or his adherents, shall do the same, or who (not being so called out or required) shall continue peaceable and dutiful to his Majesty, his heirs and successors.

Tailzies, &c.
made after
Aug. 1. 1714.
by persons at-
tainted shall
be void.

V. *And whereas there is reason to believe that several persons intending to commit high treason or treasons, as aforesaid, have made tailzies, entails or settlements of their estates, in favours of their children, or other heirs of tailzie, or conveyances, securities or alienations, with a fraudulent intent to avoid the punishment of the law due to the offences above-mentioned*; be it therefore enacted by the authority aforesaid, That all tailzies, entails, settlements and conveyances in favours of the grantees children, or other heirs of tailzie, or trusts, securities, or alienations of any estates or inheritances made in Scotland, in the name of whatsoever person or persons, since the first day of August one thousand seven hundred and fourteen, or that shall be made there in time coming by any person or persons who shall be convicted and attainted of any such high treason or treasons aforesaid, shall be, and they are hereby declared void and null to all intents and purposes, excepting

excepting such deeds, securities and alienations as have been made since the time aforesaid, or shall be made there in time coming; for just and onerous causes, the said onerous causes being always otherwise instructed than by the writings themselves.

VI. *And whereas also at this juncture it is necessary for the publick safety, and for the safety of every particular subject, to prevent their being seduced to rebellious, seditious and unlawful practices against his Majesty's sacred person, government, and the laws, and that by such methods as may be most easy to the subjects;* be it therefore further enacted by the authority aforesaid; That from and after the first day of September one thousand seven hundred and fifteen, and until the twenty-third day of January one thousand seven hundred and fifteen, the King's advocate, or in his or his deputy's absence, his Majesty's solicitor in Scotland, may and shall, upon a warrant under his Majesty's hand or sign manual, or warrant from such person or persons as his Majesty shall empower under the seal appointed by the treaty of union to be kept in Scotland in place of the great seal, for that effect, apply to the lords justice general, justice clerk, or lords commissioners of justiciary in Scotland, craving that letters may be issued, and (upon production of such warrant) the said lords justice general, justice clerk, or lords commissioners of justiciary there, are hereby authorized and required to cause letters to be issued in his Majesty's name, and at the instance of his advocate, or in his or his deputy's absence, his Majesty's solicitor in Scotland, for his highness's interest, in common form, commanding and charging such person or persons as have their estates or ordinary residence within Scotland, to appear at Edinburgh, or any other place or places in Scotland, and at such times as his Majesty, or the persons so empowered shall think fit to appoint; and if his Majesty, or such person or persons empowered in manner aforesaid, shall think fit, then and there to find sufficient bail and caution and find bail, for the loyal and peaceable behaviour of every such person or persons, and to appear when and where such person or persons shall be appointed; and in case of contempt or wilful disobedience, every such person or persons being charged by authority of such letters as is herein above directed, shall incur the penalty of single and life-rent escheat, to be brought in for his Majesty's use, and shall be further fined in the sum of five hundred pounds sterling, and be liable to one year's imprisonment; which letters are to contain a warrant for citing of the said person or persons, being within Scotland, personally, or at their dwelling-houses; and in case of any disturbance or opposition made to the messengers or witnesses employed in such service, to cite in the same manner as by the law of Scotland (where there is no *tutus accessus*) is directed, upon seven free days where the charge is against any person or persons living upon the south side of the river of Tay, to appear at Edinburgh; and upon fifteen free days, where the charge is against any person or persons living upon the north side of the said river;

After Sept. 1.
1715: till Jan.
23. following,
lord justice
general, &c.
to issue letters,
commanding
persons hav-
ing estates in
Scotland, to
appear at E-
dinburgh, &c.

Penalty of not
appearing.

How the per-
son shall be
cited in case
of disturbance
&c.

and

and when such person or persons are not in *Scotland*, upon any days, according to the forms used for citing persons who are absent out of *Scotland*.

The heirs of persons whose lands are held waird of the crown, and who are killed in his Majesty's service against the pretender, shall be free of waird, &c. But the King or superior may appoint such waird, &c. for a provision for the wife, &c.
20 Geo. 1. c. 50.

VII. *And for the further encouragement of becoming zeal and bravery in his Majesty's and the country's service, against the said pretender and his adherents*; be it also further enacted by the authority aforesaid, That if it shall happen any subject of *Great Britain* having lands or estate in *Scotland* held waird of the crown, or of any subject superior there, as well vassal as sub-vassal, to be killed in his Majesty's service against the said pretender and his adherents, or to receive wounds whereof any such person or persons shall afterwards die, the heir of every such person or persons shall be and is hereby enacted and ordained to be free of the duties and casualties of waird, relief and marriage, for and on account of such lands or estate; excepting only, That it shall and may be lawful to his Majesty, his heirs and successors, where the lands of such person or persons hold immediately of the crown, and to the immediate superior, where such lands hold of a subject, to appoint the said casualties of waird, relief and marriage, to be applied for provision of the wife, or younger child or children unprovided for, or not competently provided for; due consideration being always had to the condition of the heir.

No attainer shall exclude the right of a peaceable creditor.

VIII. *And because it is hard that any creditor, remaining in peaceable and dutiful allegiance to his Majesty, his heirs and successors, should suffer by the rebellion of his debtor*; be it therefore further enacted by the authority aforesaid, That no conviction or attainer, on account of the high treason or treasons above-mentioned, shall hurt or exclude the right or diligence of any such creditor remaining peaceable and dutiful, for security or payment of any true, just and lawful debt, contracted before the commission of any of the foresaid crimes.

None shall be a witness against any, by whose attainder he receives benefit.

IX. Provided always, and be it enacted by the authority aforesaid, That no person or persons, who may reap or have any benefit or advantage by the attainer, conviction, or forfeiture of any person or persons by virtue of this act, shall be capable of being a witness or witnesses against any person or persons, by whose attainer, conviction or forfeiture, any benefit shall or may accrue to such witness or witnesses.

Lieutenants to grant warrants to seize arms, &c. of persons dangerous.

X. *And for the better securing the peace of the kingdom*, be it further enacted and ordained, That the respective lieutenants in that part of *Great Britain* called *Scotland* shall, over and above their power of commanding the militia, and sensible men, and constituting deputy-lieutenants, and other officers, be hereby enabled and authorized by themselves, or any two or more of their deputies, to grant warrants under their hands and seals, appointing such person or persons as they shall think fit (of which a commissioned officer, and the constable or his deputy, or in the absence of the constable and his deputy, some other person bearing office within the shire or stewartry where the search shall be, shall be two) to search for and seize all arms,

ammunition, and other warlike stores, in the custody or possession of any person or persons, whom the said lieutenants, or any two or more of their deputies, shall judge dangerous to the peace of the kingdom, and to secure such arms, ammunition, or other warlike stores for the publick service, and thereof, from time to time, to give accounts to the said respective lieutenants, and in their absence, or otherwise by their directions, to their deputies, or any two or more of them:

XI. Provided, That no such search be made in any house or houses between sun-setting and sun-rising, other than in cities and their suburbs, boroughs royal, boroughs of regality and of barony, where it shall and may be lawful to search in the right time by warrant, as aforesaid, if the warrant shall so direct: and that no dwelling-house of any peer of this realm be searched by virtue of this act, but by immediate warrant from his Majesty, under his sign manual, or in the presence of the lieutenant, or one of the deputy lieutenants of the same shire or stewartry; and that in all places and houses whatsoever where search is to be made, as aforesaid, it shall and may be lawful, in case of resistance, to enter by force; and that the arms so seized may be restored to the former owners again, if the said lieutenants, or in their absence, as aforesaid, their deputies, or any two or more of them shall so think fit.

When the search may be made.

Houses of peers not to be searched, but by warrant of the King, &c.

Entry by force in case of resistance.

Arms seized may be restored to the owners.

XII. And be it further enacted, That all magistrates, and other officers within the said shires or stewartries, cities, boroughs or places aforesaid, be and are hereby required to be aiding and assisting to the said respective lieutenants and their deputies, or any of them, in execution of the premises; and that all and every person and persons, who shall aid or do any thing in execution thereof, shall be hereby saved harmless and indemnified.

Magistrates, &c. to assist.

XIII. Provided also, That from and after the first day of *October* next to come, no person being a peer of this realm, shall be capable of acting or serving as lieutenant or deputy lieutenant, in that part of *Great Britain* called *Scotland*, unless he or they shall first, before six lords of his Majesty's privy council for the time being, or such other persons as shall be authorized by his Majesty by order in council, to administer the same, take and subscribe the oaths of allegiance and abjuration, and subscribe the assurance appointed by law for persons having offices or places of trust; and that from and after the said first day of *October* no person under the degree of a peer of this realm, shall be capable of acting as lieutenant, deputy lieutenant, or other officer, in that part of *Great Britain* called *Scotland*, unless he or they shall first take and subscribe the oaths, and subscribe the assurance aforesaid, which oaths and assurance any one justice of the peace of the respective shires or stewartries is hereby enabled to administer; and the said lieutenant, or any one justice of the peace of the respective shires or stewartries aforesaid, is enabled to administer to the respective deputy lieutenants, not being peers; and the said respective lieutenants,

No peer capable of being a lieutenant, unless he take the oaths of allegiance, &c.

Nor any under the degree of a peer, unless, &c.

tenants, and in their absence, or otherwise by their directions when they are not absent, their deputies, or any two of them shall, and are hereby enabled to administer the said oaths and assurance to the said officers.

Persons having taken the oaths, exempted from taking them again.

To be certified to the sessions.

Penalty of neglecting to take them.

The act: W. & M. sess. 1. c. 15. extended to Scotland.

Exception.

XIV. And be it further enacted, That such person or persons who shall, in pursuance of this act, have taken and subscribed the oaths, and subscribed the assurance aforesaid, shall not be further obliged to do the same for the said matter or cause by virtue of any other law or statute; and the said person or persons, their taking and subscribing the said oaths, and their subscribing the said assurance, shall be certified into the next quarter-sessions of the peace which shall be held for such shire or stewartry, together with the original subscription or subscriptions of the same.

XV. And be it further enacted, That all and every such person or persons who shall act as lieutenant, deputy lieutenant, or other officer, after three months neglect to take or subscribe the oaths, or to subscribe the assurance, as aforesaid, shall be liable to all penalties and disabilities, as persons executing offices or places of trust, after three months neglect of taking and subscribing the oaths as appointed by law.

XVI. And be it further enacted by the authority aforesaid, That from and after the tenth day of September next to come, an act made in the parliament of England in the first year of the reign of the late King William and Queen Mary, intituled, *An act for the better securing the government, by disarming papists and reputed papists*, shall be in force in that part of Great Britain called Scotland, excepting only that in lieu of the declaration mentioned in the said act, the oaths of allegiance and abjuration shall be taken and subscribed, and the declaration called the *Formula*, recited in an act of the parliament of Scotland, passed in the year one thousand seven hundred, intituled, *Act for preventing the growth of popery*, shall be likewise made and subscribed; and also that the counties, ridings, and divisions mentioned in the aforesaid act, shall be construed and understood in Scotland to be shires or stewartries; and nothing in the said act contained shall be construed to establish any office which is not now in being in Scotland.

C A P. XXI.

An act for enlarging the capital stock and yearly fund of the South-Sea company, and for supplying thereby eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence to publick uses; and for raising one hundred sixty-nine thousand pounds for the like uses, by sale of annuities upon divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty.

MAY it please your most excellent Majesty, Whereas the capital or joint-stock of the governor and company of merchants of Great Britain trading to the South-Seas, and other parts of Ame-

rica, and for encouraging the fishery, being adjusted and settled, pursuant to an act of parliament made and passed in the ninth year of the reign of her late majesty Queen Anne, of blessed memory, intituled, 9 Ann. c. 21. An act for making good deficiencies, and satisfying the publick debts; and for erecting a corporation to carry on a trade to the South-Seas, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering seamen, doth amount to the sum of nine millions one hundred seventy-seven thousand nine hundred sixty-seven pounds fifteen shillings four pence, and the yearly fund payable in respect thereof, to the said governor and company, and their successors, after the rate of six pounds per centum per annum, at the receipt of the Exchequer, until the same shall be redeemed pursuant to that, and an act of the tenth year of her said late Majesty's reign, intituled, An act for continuing the trade to the South-Seas, granted by an act of the last session of parliament, although the capital stock of the said corporation should be redeemed, doth amount to five hundred and fifty thousand six hundred seventy-eight pounds one shilling and four pence, besides the sum of eight thousand pounds per annum for and towards the charges of the said company for management: and whereas the said governor and company of merchants for accommodating your Majesty's publick affairs, are willing that the sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence may be added to the present capital or joint-stock of the said governor and company, whereby the whole capital or joint-stock of the said governor and company will amount to the sum of ten millions, and whereby the stock for the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence may be disposable for such publick uses and services as are herein after prescribed, so as the sum of forty-nine thousand three hundred twenty-one pounds eighteen shillings and eight pence per annum (being after the rate of six pounds per centum per annum for the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence) may also be added to the said yearly fund of five hundred and fifty thousand six hundred seventy-eight pounds one shilling and four pence, from the feast of the nativity of Saint John Baptist in the year of our Lord one thousand seven hundred and fifteen, whereby the increased fund of the said governor and company of merchants, from and after the feast-day last mentioned, will amount in the whole to six hundred thousand pounds per annum (besides the said yearly sum of eight thousand pounds for charges of management) and so as the said increased yearly fund be continued unto them until the same shall be redeemed by parliament, as is herein after mentioned, and so as the monies due to them upon their present yearly fund, and to grow due to them on their said increased yearly fund, and the monies due and to grow due to them upon the said eight thousand pounds per annum (until such redemption) be paid and secured, according to the tenor and true meaning of this present act; now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to aid your Majesty with such supplies as may be least burthen-
 then some

10 Ann. c. 30.

825,031. 4s.
8d. to be added
to the capital
of the South-
Sea stock.

Treasurer of
the navy to
write the said
sum in the
company's
book by Mich.
1715.

And to trans-
fer for the use
of the com-
pany
583,339l. 8d.
part of the
said stock so
written in, &c.

then some or veracious to your subjects, do humbly pray your Majesty that it may be enacted and declared; and be it enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence, is added and united, and by force and virtue of this act shall be, and be deemed and taken (as from the said feast of the nativity of Saint *John* Baptist in the year of our Lord one thousand seven hundred and fifteen) to be added and united to the said capital or joint-stock of the governor and company before named; and that the said capital or joint-stock, with the same addition, from the feast-day last mentioned, doth amount, and shall be esteemed to amount in the whole to ten millions sterling; and that the treasurer of his Majesty's navy now being, or the treasurer thereof for the time being shall, before the feast of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifteen, write and be admitted to write the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence in the proper book of the said governor and company, as part of the capital or joint-stock of the same; and that the said stock of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence, so to be written in, shall be transferable, and from the said feast of the nativity of Saint *John* Baptist shall have the same dividends, benefits and privileges, and be subject to the same rules, directions and powers, as the rest of the capital stock of the said corporation from that time is to have, enjoy or be subject unto.

II. And it is hereby enacted by the authority aforesaid, That the said treasurer of the navy, who shall write in the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence, as aforesaid, shall immediately thereupon transfer and assign (in due form) to the cashier of the said governor and company, or whom the court of directors of the said governor and company shall appoint, for the use of the said governor and company, the full sum of five hundred eighty-three thousand three hundred thirty-nine pounds and eight pence, part of the said stock which shall have been so written in, as aforesaid, that is to say, two hundred seventy-five thousand three hundred thirty-nine pounds and eight pence, part thereof, in full satisfaction of their said original fund for the half-year, reckoning from the feast of the birth of our Lord Christ one thousand seven hundred and fourteen, and ended at the said feast of the nativity of Saint *John* Baptist in the year of our Lord one thousand seven hundred and fifteen inclusively; three hundred thousand pounds more thereof in full satisfaction of their said increased fund for the half-year, reckoning from the said feast of the nativity of Saint *John* Baptist in the year of our Lord one thousand seven hundred and fifteen, and to end at the

feast

feast of the birth of our Lord Christ in the same year one thousand seven hundred and fifteen inclusively; and the remaining eight thousand pounds thereof in full satisfaction of the said allowance of eight thousand pounds *per annum*, for their charges of management for one whole year, beginning from the said feast of the birth of our Lord Christ one thousand seven hundred and fourteen, and to end on the like feast-day in the year of our Lord one thousand seven hundred and fifteen inclusively.

III. Provided always, and it is hereby declared to be the true intent and meaning of this present act, That the said governor and company, or their cashier for their use, shall and may (notwithstanding any provision made by this act) proceed to receive so much of the money arising by the particular duties on salt, rock-salt, and candles, and by the several rates on monies given with clerks, apprentices, and servants, mentioned in the said act of the ninth year of her late Majesty's reign, as they might have received if this act had not been made; but that within ten days after the feast of the birth of our Lord Christ one thousand seven hundred and fifteen, an exact account shall be made up by the auditor of the receipt of his Majesty's Exchequer, of all the monies, which, within the whole year ending at the same feast, shall have been received by the said governor and company, or their cashier, of those particular duties or rates, and the sum total of the monies so received or to be received by them within the said year, shall go and be reckoned and accounted as part of the said increased fund, which shall first grow due to the said governor and company, after the said feast of the birth of our Lord Christ in the year of our Lord one thousand seven hundred and fifteen, and shall be deducted out of the same increased fund accordingly; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

At Christmas 1715. an account to be made up of all monies arising by the duties on salt, candles, &c. of 9 Anne, c. 21, that year, &c.

IV. And be it enacted by the authority aforesaid, That the sum of two hundred thirty-eight thousand six hundred ninety-three pounds and four shillings, residue of the said sum of eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence, to be written in, as aforesaid, for the use of the publick, shall be, from time to time, transferrable as any three or more of the commissioners of the treasury now being, or the high treasurer, or commissioners of the treasury for the time being, by any warrant or warrants under his or their hands shall direct, for the use of his Majesty's navy or land-forces, or other publick services, and not otherwise.

The remaining 238,693l. 4s. transferrable for the use of the navy, &c.

V. And it is hereby enacted, That all the several duties, revenues and surplus monies, which, by the said act of the ninth year of her late Majesty's reign, were settled, appropriated, appointed, or intended, for answering the yearly fund which was to be adjusted by that act, and the said yearly sum of eight thousand pounds, that is to say, such of the same duties, revenues and surplus monies as are already come into possession, and the rest of them as they shall severally take effect,

All the duties, &c. 9 Anne, c. 21. appropriated to make good the increased fund.

are

are hereby appropriated, and shall be applied to and for the answering and making good all the payments which, after the said feast of the birth of our Lord Christ one thousand seven hundred and fifteen, shall grow due, for or upon the said increased fund, amounting to six hundred thousand pounds *per annum*, as aforesaid, and the said yearly sum of eight thousand pounds for or towards charges of management, as aforesaid, and to none other use, intent, or purpose whatsoever, under such and the like penalties, forfeitures, and disabilities to be incurred and inflicted for diverting, misapplying, or detaining any the monies applicable to the payments by this act directed, as by the said act of the ninth year of her late Majesty's reign, or by any other act or acts relating thereunto, were in the like case intended to be inflicted or incurred for diverting, misapplying, or detaining any the monies which were to be paid in pursuance thereof.

A quarterly account to be taken in the Exchequer of monies arising to pay the fund.

Deficiency to be made good by the treasurer of the navy, &c.

VI. *And to the end there may be no failure in the payment of the said increased fund of six hundred thousand pounds per annum, and the said sum of eight thousand pounds per annum, from or after the said feast of the birth of our Lord Christ one thousand seven hundred and fifteen, until the redemption thereof by parliament, according to the proviso herein after contained;* be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury now being, or the high treasurer or commissioners of the treasury for the time being, shall, from and after the said feast of the birth of our Lord Christ one thousand seven hundred and fifteen, quarterly, at the four most usual feasts in every year, that is to say, the feasts of the annunciation of the blessed virgin Mary, the nativity of Saint John Baptist, Saint Michael the Archangel, and the birth of our Lord Christ, or within twenty days next after every of the said feast-days, cause a true and exact account to be made of all the monies which, on or before the said respective quarter-days within the quarter then ended, shall have come, or was brought into the receipt of Exchequer, of the said duties and revenues, and surplus monies, or any of them, for or towards payment of the said increased fund, and the said yearly sum for charges; and if upon making every or any such account, the monies so come or brought in shall appear to fall short of one fourth part of the said yearly sum of six hundred thousand pounds, and eight thousand pounds, for the preceding quarter of a year, then, and so often, and in every such case, all and every sum and sums of money, so deficient, shall, upon demand to be made by the said governor and company, or their cashier, by writing under the common seal of the said governor and company, or signed by the said cashier, and to be left with or for the treasurer of the navy of his Majesty, his heirs or successors, for the time being, at or in the house or place used by such treasurer of the navy for the time being, for making payments for the use of the navy, or within twenty days after such demand, be answered, made good, and satisfied by the treasurer of the navy, for the

the time being, of his Majesty, his heirs and successors, out of any monies then in his hands or power, or first coming to his hands or power, for the service of the navy, or the victualling thereof; all which monies are hereby charged to make good the said payments which shall be incurred and grown due to the said governor and company from time to time, with preference to any other payments to be made out of the same for any use or service whatsoever; and the said payments to the said governor and company, or their cashier for their use, shall be made without fee or charge, and without any further or other warrant to be sued for, had or obtained from his Majesty, his heirs or successors, or any other person or persons whatsoever; and the said treasurer of the navy for the time being, is hereby authorized and required (in default of specific money to answer the payment of any such deficiency or deficiencies, as aforesaid) forthwith to dispose so much of any tallies, orders, annuities, or other parliamentary securities, which then or afterwards shall or may be in his hands or power, for the service of the navy, or the victualling thereof, as will be sufficient to enable him to discharge the deficiency then due to the said governor and company; and within twenty days after such demand, as aforesaid, to pay the same in money without any deduction, discount or abatement to be borne or sustained by them; and such treasurer of the navy, from time to time, shall be allowed upon his account in the Exchequer all such payments so made by him; and the said treasurer of the navy shall also be allowed all such loss as shall happen by disposing such securities, upon the oath of the said treasurer (which the proper auditor hath hereby power to administer) verifying the truth thereof.

VII. Provided always, and be it further enacted, That if the treasurer of the navy of his Majesty, his heirs or successors, shall at any time or times refuse or delay to make such payment and applications, as aforesaid, of any of the publick monies which shall be in or come to his hands or power, or (in default of specific money) to sell and dispose of any the tallies, orders, annuities, or other parliamentary securities, which shall be in or come to his hands or power, and to apply the money arising by such sale or disposition, or so much thereof as shall be sufficient for that purpose, for or towards making good such deficiency or deficiencies of the said annual sums of six hundred thousand pounds, and eight thousand pounds, or either of them, as shall have incurred or become due, according to the true meaning of this present act, when and as often as any such deficiency shall happen, such treasurer of the navy shall forfeit his office or place, and shall be liable to pay unto the said governor and company, and their successors, the value of all and every sum and sums of money so refused or neglected to be paid, with treble damages and full costs of suit; the same to be recovered by the said governor and company, and their successors, by action of debt, or of the case, bill, plaint or information founded upon

Treasurer of
the navy not
paying forfeits
his office, &c.

this act, in any court of record of his Majesty, his heirs or successors, wherein no essoin, protection, privilege of parliament, or other privilege whatsoever, wager of law, or more than one imparlance shall be granted or allowed.

Treasury to make an annual estimate of the produce of the fund.

VIII. And to the end the service of the navy or victualling may not be prejudiced by such application of the money or disposition of any parliamentary securities, which shall be applied to make good any such deficiency or deficiencies, be it enacted by the authority aforesaid,

This fund reduced to 500,000l. by 3 Geo. 1. c. 9. s. 1, 2, 3.

to be laid before the parliament.

That from and after the twenty-fifth day of December one thousand seven hundred and fifteen, till such redemption by parliament, as aforesaid, there be annually within twenty days after the twenty-fifth day of December one thousand seven hundred and fifteen, an estimate in writing made by the commissioners of the treasury, or high treasurer for the time being, by a medium of the three preceding years, of how much the revenues settled for payment of the said yearly fund of six hundred thousand pounds, and the said yearly sum of eight thousand pounds, will produce for the year commencing from the twenty-fifth day of December preceding such account, and ending the twenty-fifth day of December succeeding such account, and how much the same are like to fall short of answering and paying thereof; and shall cause such estimate to be laid before the commons in parliament at their then session (if then actually sitting) or if the parliament shall not be then sitting, in such case, at their first or next session, to the end a sufficient provision may be made for the service of the navy, and victualling thereof for that year; but the delay of making such provision shall not be any stop or detriment to the making good, in the manner aforesaid, the deficiencies which shall happen in the payment of the said yearly fund of six hundred thousand pounds, or the said yearly sum of eight thousand pounds, but the same shall from time to time, and at all times, until such redemption as herein after is mentioned, be answered, paid and made good by the treasurer of the navy, as aforesaid; any thing herein, or in the said former acts, or any of them contained, or any custom or usage of the navy, or other matter or thing to the contrary notwithstanding.

On one year's notice and repayment, duties to cease.

See 3 Geo. 1. c. 9. s. 1, 2, 3, 4, 5. 10. 19. 21, 22. 9 Ann. c. 21.

IX. Provided always, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice, after the twenty-fifth day of December one thousand seven hundred and sixteen, upon repayment by parliament of the said sum of ten millions, and of all arrears of the said yearly sums of six hundred thousand pounds, and eight thousand pounds, or upon payment thereof by and out of the surplus monies of the said duties and revenues settled for payment of the said yearly sums; then, and not till then, all the impositions and duties by the said act of the ninth year of her late Majesty's reign, or by this present act appropriated, shall and may be disposed of by parliament; and the said yearly fund of six hundred thousand pounds, and all annuities out of the same, and the said yearly sum of eight

eight thousand pounds shall cease and determine; but that the said corporation by the name aforesaid, after such redemption of the said yearly sums, shall continue for ever, and have perpetual succession, and shall hold and enjoy all such forts, factories, acquisitions, lands, tenements and hereditaments, and all such benefits of trade, and other benefits, profits, powers, privileges, and advantages whatsoever, whereunto they would be entitled by the said act of the tenth year of her late Majesty's reign, in case the redemption of their yearly fund were made pursuant to that act; any thing herein contained to the contrary notwithstanding.

X. And it is hereby enacted, That the said several former acts of the ninth and tenth years of her late Majesty's reign, and all the powers, privileges, advantages, exemptions, rules, directions, penalties, forfeitures, clauses, matters and things therein contained (being now in force) touching or concerning the said corporation, or the said duties and revenues by the said acts or either of them settled, and the said yearly or other sums to be paid out of the same, or any of them (such alterations as are made therein by this act always excepted) shall continue and be put in execution in relation to the said corporation, and the said duties or revenues appropriated by this act, and the yearly or other sums hereby charged thereupon, as fully as if the same powers, privileges, advantages, exemptions, rules, directions, penalties, forfeitures, clauses, matters and things (except as aforesaid) were repeated and re-enacted in the body of this act.

But corporation to continue for ever, &c.

Acts of 9 Ann. c. 12. & 10 Ann. c. 39. confirmed.

XI. And whereas by an act of this session of parliament, intituled, An act for raising nine hundred and ten thousand pounds for publick services, by sale of annuities, after the rate of five pounds per centum per annum, redeemable by parliament; and to authorise a treaty concerning private rights claimed by the proprietors of the sugar-houses in Scotland, the yearly sum of forty-five thousand five hundred pounds, part of the yearly sum of fifty-four thousand six hundred pounds therein mentioned, is enacted to be a distinct and separate fund for answering and paying certain annuities, after the rate of five pounds per centum per annum, to be purchased upon that act, by quarterly payments, until the redemption thereof by parliament, according to a proviso in that act contained in that behalf: now for the encouragement of such persons and corporations as are or shall be willing to advance for the service of the publick, any sum or sums of money, not exceeding the farther sum of one hundred sixty-nine thousand pounds, for purchasing annuities at the said rate of five pounds per centum per annum, to be settled upon the yearly sum of eight thousand four hundred and fifty pounds, other part of the said yearly sum of fifty-four thousand six hundred pounds, in the manner herein after mentioned; it is hereby further enacted and declared by the authority aforesaid, That the said yearly sum of eight thousand four hundred and fifty pounds, is and shall be a distinct and separate fund, and be issued and applied (as this act directs)

1 Geo. 1. stat. 2. c. 19.

8450l. to be a fund for annuities at 5l. per cent.

Of these, part were subscribed

by 6 Geo. 1. c. 4.
and the rest re-
dermed. 9 Geo.
1. c. 5. 10 Geo.
1. c. 5.

for answering and paying the annuities, after the rate of five pounds *per centum per annum*, to be purchased upon this act, by quarterly payments, until the redemption thereof by parliament according to the proviso herein after specified, and under the same penalties, forfeitures and disabilities, for any offence or neglect touching the said fund of eight thousand four hundred and fifty pounds *per annum*, or the payments to be made out of the same, as are by the said act to be incurred for the like offence or neglect, in relation to the said yearly fund of forty-five thousand five hundred pounds, or to the payments charged thereupon; any thing in this or the said recited act, or in any other law or statute to the contrary in any wise notwithstanding.

Fund to take
place at Mich.
1715.

XII. And be it enacted by the authority aforesaid, That yearly and every year, from and after the feast of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifteen, for ever, the said yearly sum of eight thousand four hundred and fifty pounds, other part of the said yearly sum of fifty-four thousand six hundred pounds, arising into the receipt of Exchequer, shall be the whole and entire yearly fund; and in case all the monies arising into the Exchequer, as aforesaid, shall not in any one year amount to so much as eight thousand four hundred and fifty pounds, (over and above the said yearly sum of forty-five thousand five hundred pounds) then the monies so arising, so far as they will extend, shall be part of the yearly fund, for or towards the answering and paying all the annuities, after the rate of five pounds *per centum per annum*, to be purchased upon this act; and that all and every deficiency and deficiencies of the said whole yearly sum of eight thousand four hundred and fifty pounds, or any part thereof, which shall appear at the end of any one year, to be reckoned as aforesaid, for payment of such annuities as shall be purchased upon this act, at the rate aforesaid for the same year respectively, shall be supplied or made up, from time to time, out of the first aids to be granted in parliament next after such deficiency shall appear, and shall from time to time be transferred thereunto, as soon as such aid shall be granted.

Deficiency to
be made good
out of the first
aids in parlia-
ment.

Any persons
may be con-
tributors.

XIII. And be it further enacted, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, advance and pay to the first or chief cashier of the governor and company of the bank of *England* for the time being, at or before the respective days and times by this act limited in that behalf, any sum or sums of money, not exceeding in the whole the said sum of one hundred sixty-nine thousand pounds for the purchase of any annuity or annuities, to commence from the said feast of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifteen, and to be paid and payable to such contributor or contributors, or such as he, she or they shall nominate, his, her or their executors, administrators, successors or assigns respectively, until the same shall be redeemed accord-

ing to the tenor or true meaning of the proviso or condition herein after-mentioned in that behalf, so as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of his Majesty's treasury now being, or of the high treasurer or commissioners of the treasury for the time being, for duly answering and paying into the receipt of the Exchequer for the publick use, the monies so to be advanced or contributed, and to account duly for the same; and the purchase-money for every such annuity at the rate aforesaid, is hereby appointed to be paid to the said cashier, as aforesaid, at or before the respective days and times herein after limited, that is to say, one fifth part thereof on or before the twenty-ninth day of *September* in the year of our Lord one thousand seven hundred and fifteen; one other fifth part thereof, on or before the twenty-ninth day of *November* in the year of our Lord one thousand seven hundred and fifteen; one other fifth part thereof on or before the twenty-eighth day of *January* thence next ensuing; one other fifth part thereof on or before the twenty-ninth day of *March* then next following; and the remaining fifth part thereof on or before the twenty-ninth day of *May* which shall be in the year of our Lord one thousand seven hundred and sixteen; all which annuities so to be purchased shall not exceed in the whole the said sum of eight thousand four hundred and fifty pounds *per annum*, and shall be paid and payable at the four most usual feasts or days of payment in the year, (that is to say) the feasts of the birth of our Lord Christ, the annunciation of the blessed virgin *Mary*, the nativity of Saint *John* Baptist, and Saint *Michael* the Archangel, by even and equal portions, or within six days after every of the said feast-days; the first payment thereof to be due at the feast of the birth of our Lord Christ which shall be in the year of our Lord one thousand seven hundred and fifteen, or within six days after the same feast-day; nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise; and the said cashier of the said governor and company for the time being, is hereby authorized and required, upon advancing and paying to him any such sum and sums of money, as aforesaid, forthwith to give a receipt in writing, signed by himself for each payment, to the contributor or payer thereof, and from time to time to pay into the receipt of his Majesty's Exchequer all the monies which he shall receive of or for the said sum, not exceeding one hundred sixty-nine thousand pounds, as fast as he shall receive the same, or any part thereof, or within five days at the farthest; and to account for all the monies so to be advanced to him in his Majesty's court of Exchequer, according to the due course thereof; in which account the said cashier shall have just allowance of all monies which he shall have paid for prompt payments pursuant to this act.

Times of payment.

Cashier to give a receipt to contributors, and to pay into the Exchequer, &c.

XIV. And it is hereby enacted, That in the office of the accountant general of the governor and company of the bank of England, Accountant general of the bank to keep

a book of the contributors.

England, for the time being, there shall be provided and kept a book or books, in which there shall be fairly entred the names of all who shall be contributors for such annuities, after the rate of five pounds *per centum per annum*, as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book it shall be lawful for the said respective contributors, their executors, administrators, successors and assigns, from time to time, at all seasonable times to have resort and inspect the same, without fee or charge; and the said accountant general for the time being shall, on or before the twenty-fourth day of *June* one thousand seven hundred and sixteen, transmit an attested duplicate fairly written in paper, of the said book or books into the office of the auditor of the receipt of his Majesty's Exchequer, there to remain for ever.

Annuities charged on the fund of 8450l. &c.

XV. And it is hereby enacted by the authority aforesaid, That all and every the annuities so to be purchased at the rate aforesaid, shall be and are hereby charged upon, and shall be paid and payable from time to time out of the monies arising and to arise of or for the said yearly fund of eight thousand four hundred and fifty pounds, or by other the provisions or supplies made or to be made by or in pursuance of this act for the payment thereof, in the manner and form by this act prescribed in that behalf; and that all and every contributor and contributors upon this act, duly paying the consideration of purchase-money at the rate aforesaid, at or before the respective days and times in this act limited in that behalf for such annuity or annuities, as aforesaid, or such as he, she or they shall appoint, his, her or their respective executors, administrators, successors and assigns, shall have, receive and enjoy, and be entitled by virtue of this act, to have, receive and enjoy the respective annuity and annuities so to be purchased, out of the monies by this act appropriated or appointed, or to be supplied for payment thereof, as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption in this act afterwards contained concerning the same; and that all the said annuities to be purchased on this act, and the principal monies paid for the same, and every of them during the continuance thereof, shall be free from all taxes, charges and impositions whatsoever.

Tax-free.

Bank to employ a chief cashier and accountant general.

XVI. And for the more easy and sure payment of the said annuities to be purchased, as aforesaid, according to the true meaning of this present act, it is hereby further enacted by the authority aforesaid, That the governor and company of the bank of *England*, and their successors, shall from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person within their office in the city of *London*, to be their chief or first cashier, and one other sufficient person within the same office to be their accountant general; and that so much of the monies that shall or ought to be, from time to time, separated or set apart in the receipt of

Ex-

Exchequer, for or upon account of the said yearly fund of eight thousand four hundred and fifty pounds, for answering the said annuities to be purchased upon this act, as shall bear a full proportion to the whole sum which shall be advanced or contributed upon this act, after the said rate of five pounds *per centum per annum*, shall by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or of the high treasurer, or commissioners of the treasury of his Majesty, his heirs and successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, be from time to time, quarterly, as aforesaid, issued and paid at the said receipt of Exchequer, to the said first or chief cashier of the said governor and company of the bank of *England*, and of their successors for the time being, by way of imprest and upon account, for the payment of the said annuities to be purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time without delay apply and pay the same accordingly, and render his accounts thereof according to the due course of the Exchequer; any thing herein contained to the contrary notwithstanding.

Cashier to receive the fund at the Exchequer quarterly, &c.

XVII. And it is hereby also enacted, That the said accountant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay; and that all and every person or persons whatsoever, who shall be intitled to any of the same annuities to be purchased on this act, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attachment by the custom of *London*, or otherwise; any law, statute or custom to the contrary notwithstanding.

Accountant general to inspect the receipts of the cashier.

Annuities a personal estate, &c.

XVIII. And for the encouragement of the contributors to advance and pay readily to the said cashier the sums by them intended to be advanced upon this act, it is provided and enacted by the authority aforesaid, That every such contributor who shall advance and pay to the said cashier within the times limited by this act, the purchase-money payable for any annuity or annuities at the rate aforesaid, his, her or their executors, administrators, successors and assigns respectively, shall be allowed and paid out of the contribution-money arising by this act, interest after the rate of eight pounds *per centum per annum*, for the prompt payment of the purchase-money, or of such proportions of the purchase-money as shall be so advanced before the twenty ninth day of *September* one thousand seven hundred and fifteen; the said interest to be computed for the respective sums so advanced and paid to the said cashier, from the time or respective times of the actual advancing and paying the same to the said cashier, until

Interest at 8l. per cent. for prompt payment.

the said twenty ninth of *September* one thousand seven hundred and fifteen.

All the monies advanced to be a joint-stock, &c.

XIX. And be it further enacted by the authority aforesaid, That all the monies to be advanced or contributed upon this act, for or towards the said sum, not exceeding one hundred sixty-nine thousand pounds, shall be deemed, reputed and taken to be one capital or joint stock, on which the said annuities, after the rate of five pounds *per centum per annum*, shall be attending; and that all and every person and persons and corporations whatsoever, in proportion to the money by him, her or them advanced upon this act, shall have and be deemed to have an interest or share in the said stock, and in the proportional annuity attending the same, at the rate aforesaid, for the monies so by him, her or them advanced; and that the said capital or joint stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable or deviseable, in the same manner as the joint stock for the said monies, not exceeding nine hundred and ten thousand pounds, is by the said act assignable and transferrable or deviseable, and not otherwise; and in default of such transfer or devise, the said stock and annuities attending the same, shall go to the executors or administrators; and that no stamp-duties whatsoever shall be chargeable on the said transfers, or any of them; any other law or statute to the contrary notwithstanding.

Stock transferrable.

And free from stamp-duties.

Assignee of stock liable to pay the residue of contribution-money unpaid.

XX. And it is hereby enacted and declared, That all persons who shall accept any assignment or transfer of any stock from any contributor, who shall have paid only part of the contribution-money for the same upon this act, shall be liable to pay the residue of the said contribution-money, and to such forfeitures for non-payment thereof, as the original contributor would have been liable, if no such transfer had been made.

No contribution after 29 Sept. 1715.

XXI. Provided always, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain any of the annuities, at the rate aforesaid upon this act, unless the whole, or one fifth part at least of the consideration-money for the same, at such rate as aforesaid, be advanced and paid to the said cashier, on or before the said twenty-ninth day of *September* one thousand seven hundred and fifteen.

Penalty for not paying by the times limited.

XXII. Provided also, That in case any such contributor, as aforesaid, who shall, on or before the said twenty-ninth day of *September* one thousand seven hundred and fifteen, have advanced to the said cashier one fifth part of his, her or their said purchase-money, or his, her or their executors, administrators, successors or assigns, do not advance and pay to the said cashier one other fifth part of his, her or their consideration-money so to be paid for such respective annuity or annuities, as aforesaid, on or before the twenty-ninth day of *November* then next ensuing; and one other fifth part thereof on or before the twenty-eighth day of *January* then next coming; one other fifth part thereof on or before the twenty-ninth day of *March* then next follow-

following; and the remaining fifth part thereof on or before the twenty-ninth day of *May* which shall be in the year of our Lord one thousand seven hundred and sixteen; then and in every such case respectively, so much of the consideration-money as shall have been actually paid for the first payment to the said cashier for such respective annuity, shall be forfeited for the use of the publick, and no interest, at the rate aforesaid, shall be payable for the said first payment; any thing in this act contained to the contrary notwithstanding.

XXIII. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors (notwithstanding the redemption of all or any their own funds, in pursuance of the acts for establishing the same, or any of them) shall continue a corporation, with all the powers, privileges and advantages thereunto belonging, for the purposes in this act expressed, till all the annuities, after the rate of five pounds *per centum per annum*, to be purchased on this act, shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company, or any members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

XXIV. And it is hereby enacted by the authority aforesaid, That no fee or gratuity whatsoever shall or may be demanded or taken of any his Majesty's subjects for receiving or paying the said contribution monies, or any of them, or for any tallies or other receipts concerning the same, or for issuing the said yearly fund of eight thousand four hundred and fifty pounds, or any part thereof, or for paying the said annuities, or any of them; and that no fee or gratuity shall be demanded or taken for any such transfer, as aforesaid, of any sum great or small, to be made in pursuance of this act, upon pain that any officer or person offending, by taking or demanding any fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs, in any of his Majesty's courts of record at *Westminster*.

XXV. Provided always, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice, and repayment by parliament of the sum of one hundred sixty-nine thousand pounds, or so much thereof as shall be advanced upon this act, unto the respective contributors of the same, or to such person and persons as by, from or under them, shall be then entitled to the said annuities to be purchased on this act, after the rate of five pounds *per centum per annum*, in respect of the money so advanced, according to such interest as they respectively shall then have in the same annuities, and also upon full payment and satisfaction of all arrears of the same annuities, after the rate of five pounds *per centum per annum*, if any shall be then due, then and not till then, the said annuities, after the rate of five pounds *per centum per annum* to be purchased on this act, shall cease and determine, and from thenceforth

Bank to continue a corporation till the annuities are redeemed, &c.

No fees to be taken.

When these annuities shall be understood to be redeemed. See

9 Geo. 1. c. 5.
10 Geo. 1. c. 5.

forth so much of the general or aggregate fund in the said recited act mentioned or referred unto, and of the said particular duties chargeable with these annuities, as aforesaid, as the same annuities shall amount unto, shall be understood to be redeemed by parliament, but without prejudicing any other of the yearly sums or payments by this or any other act charged or intended to be charged on the said general or aggregate fund, or upon the said particular duties which shall then remain to be satisfied out of the same; any thing herein contained to the contrary in any wise notwithstanding.

The cashier and accountant general's salary, &c.

XXVI. Provided always, and it is hereby enacted, That the commissioners of the treasury, or high treasurer for the time being, shall have power to allow to the cashier or cashiers, who shall receive the said contribution or advance money, not exceeding one hundred sixty-nine thousand pounds, as aforesaid, for his or their pains and charges in receiving and accounting for the same, a sum not exceeding one hundred pounds, out of the contribution or advance money aforesaid; and shall also have power (out of the remainder of the said yearly sum of fifty-four thousand six hundred pounds, to arise over and above so much as shall be sufficient, from time to time, to discharge all monies which shall be due on the annuities to be purchased on this and the said former act) to allow and pay to the said cashier for the time being, a salary or allowance, not exceeding one hundred pounds *per annum*, for receiving the money to pay the annuities upon this act, and applying the same to that use, and for his pains and charges in keeping and rendering his accounts thereof; and a salary or allowance, not exceeding one hundred pounds *per annum* to the said accountant general for the time being, for his service and charge in performing the duty and trust incumbent upon him by this act; any thing in this or any other act contained to the contrary notwithstanding.

Additional allowance for prompt payment.

XXVII. Provided always, and it is hereby enacted, That all and every person and persons, who have or hath contributed or advanced any sum or sums of money upon the said former act for an annuity, after the rate of five pounds *per centum per annum*, and hath paid to the said cashier the whole, or one fifth, or any greater part of the contribution-money for purchasing such annuity; and all and every person and persons who shall contribute or advance any sum or sums of money upon this or the said former act for the like annuity, and shall, on or before the twenty-ninth day of *September* one thousand seven hundred and fifteen, pay to the said cashier the whole, or one fifth, or any greater part of the contribution or consideration money for such annuity, shall, over and above all other encouragements before by this or the said former acts given or allowable, be repaid out of any monies which are or shall be in the hands of the said cashier, arisen, or to arise by contributions, for the use of the publick, as aforesaid, not only so much as an additional allowance after the rate of twenty shillings *per centum*, to be computed upon the whole contribution or consideration money, advanced

advanced and to be advanced by such person or persons, doth or shall amount to, but also so much as another additional allowance, after the rate of five pounds *per centum per annum*, shall amount unto, to be computed upon every sum advanced, or to be advanced before the days limited in this or the said former act (the first payment excepted) from the time of actual payment thereof to the said cashier, until the respective days when the same by the limited days aforesaid would become due.

XXVIII. And be it enacted by the authority aforesaid, That all the monies lent and to be lent to his Majesty, upon one act of this session of parliament, intituled, *An act for granting an aid to his Majesty, to be raised by a land-tax in Great Britain, for the service of the year one thousand seven hundred and fifteen*, and so much money, if any such be, of the tax thereby granted, as shall arise and remain after all the loans made or to be made on that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent and to be lent unto his Majesty upon the duties on malt, mum, cyder and perry, charged and continued by another act of this session of parliament, for the service of the year one thousand seven hundred and fifteen, and so much money of the said duties on malt, mum, cyder and perry, thereby granted or continued, as shall arise and remain (if any such be) after all the loans made or to be made on that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said duties thereby granted, shall be satisfied, or monies sufficient shall be reserved to discharge the same; and all the monies advanced or contributed, or to be advanced or contributed upon an act of the present session of parliament, for raising any sum not exceeding nine hundred and ten thousand pounds for publick services, at the rate of five pounds *per centum per annum*, the allowances prescribed by that act only excepted; and all the monies not exceeding one hundred sixty-nine thousand pounds, authorized to be advanced for the like services, and at the like rate, upon this present act, and all the proceed of the said stock of the said governor and company of merchants of *Great Britain* trading to the *South Seas* (the stock for the said sum of five hundred eighty-three thousand three hundred thirty-nine pounds and eight pence, to be transferred to or for the use of the said governor and company in manner as aforesaid, only excepted) shall be appropriated and applied, and are hereby appropriated for or towards the several uses, intents and purposes herein expressed, subject nevertheless to such restrictions as are herein after prescribed: that is to say, it is hereby enacted and declared, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding in the whole the sum of one million one

hundred

Appropriation of the several supplies granted this session.

1 Geo. 1.
stat. 2. c. 1.

1 Geo. 1.
stat. 2. c. 2.

1 Geo. 1.
stat. 2. c. 19.

The navy.

Office of ord-
nance.

Land forces.

hundred forty-six thousand seven hundred and forty-eight pounds and eleven pence, for the naval services following, that is to say, for defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea-officers, and for victual, wages, wear and tear of the navy, and victualling thereof, performed and to be performed, and for sea-service in the office of ordnance performed and to be performed, and for or towards the extraordinary repairs of the navy, rebuilding of ships, and other extraordinary works of the navy performed and to be performed, and for or towards completing the furniture and stores of his Majesty's ships in repair or to be repaired; and any sum or sums of money, not exceeding in the whole the sum of ninety-three thousand six hundred twenty-nine pounds nineteen shillings and nine pence, for services relating to his Majesty's office of ordnance herein after mentioned, that is to say, for the charges of the said office for land-services performed and to be performed; and to complete half-pay for the year one thousand seven hundred and fifteen, to the military officers and chaplains who served in the train of artillery in *Flanders* and *Spain*, and on several expeditions; and any sum or sums of money, not exceeding in the whole the sum of one million twenty-four thousand nine hundred and seven pounds five shillings and two pence half-penny, for maintaining his Majesty's land-forces, and other services herein after expressed, that is to say, for maintaining his Majesty's guards and garrisons in *Great Britain*, *Jersey* and *Guernsey*, and his forces in *America*, and twelve companies of invalids, and three independent companies in *North Britain*, for one year, from the twenty-fourth day of *December* one thousand seven hundred and fourteen, to the twenty-fifth day of *December* one thousand seven hundred and fifteen; and for maintaining his Majesty's forces and garrisons in *Minorca*, for the same year: and for maintaining his Majesty's forces and garrison in *Gibraltar*, for the same year; and for the charge of the officers servants of the regiments in *Minorca* and *Gibraltar*, from the twenty-fifth day of *June* one thousand seven hundred and thirteen, to the twenty-fourth day of *December* one thousand seven hundred and fourteen; and for maintaining the three regiments of *Harrison*, *North* and *Grey*, and *Sterne*, (in *Flanders* or elsewhere) from the twenty-ninth day of *September* one thousand seven hundred and fourteen, to the twenty-fifth day of *December* one thousand seven hundred and fifteen; and for maintaining seven battalions, consisting of the royal regiment of foot, and the regiments of *Webb*, *Forfar*, *Hill*, *Orrery*, and *Sutton*, (in *Flanders* or *England*) from the twenty ninth day of *September* one thousand seven hundred and fourteen, till the twenty-fifth day of *March* one thousand seven hundred and fifteen, (at which time they were transferred to the establishment of *Ireland*;) and for bounty-money to disbanded men of several regiments which were reduced in order to transferring those regiments to the establishment of *Ireland*; and for maintaining the additional forces, consisting of three thousand dragoons, and

and four thousand foot, (including commission and non-commission officers) and four companies of foot added to the *Coldstream* regiment of foot-guards, for one whole year, and to defray the levy-money for the said additional forces; and for support of the royal hospital at *Chelsea*, and pay of the out-pensioners for one year, from the twenty-fourth day of *December* one thousand seven hundred and fourteen, to the twenty-fifth day of *December* one thousand seven hundred and fifteen, (over and above the several poundages and days pay applicable thereunto;) and for defraying such pay or half-pay as his Majesty hath allowed, or shall think fit to allow to the officers of the land-forces and marines disbanded, being his Majesty's natural-born subjects, or naturalized, including such officers of lieutenant general *Hamilton's* regiment of foot, and excepting such officers as are or shall be otherwise provided for, from the time of making such other provision for them respectively; and for answering other extraordinary services or augmentations relating to his Majesty's land-forces; and any sum not exceeding two hundred and fifty thousand pounds, towards satisfying the monies due for subsidies and arrears or other debts upon account of the land-forces; and any sum not exceeding fifty-three thousand three hundred and twenty-two pounds, for supplying the deficiency of the fund for the classis lottery of the year one thousand seven hundred and eleven, for the year ended at *Michaelmas* one thousand seven hundred and fourteen; and any sum not exceeding fifty-two thousand nine hundred thirty-eight pounds nine shillings and eight pence, for supplying the deficiency of the fund for the classis lottery in the year one thousand seven hundred and twelve, for the year ended at *Michaelmas* one thousand seven hundred and fourteen: and that the aids or supplies provided, as aforesaid, (except before excepted) shall not be issued or applied to any use, intent or purpose whatsoever, other than the uses and purposes before mentioned. Provided always, That such sums as by any other act of this session of parliament shall be payable to any commissioners of accounts, for their salaries, or for their clerks, or other incident charges, shall and may be paid out of the aids or supplies aforesaid, or any of them; any thing herein contained to the contrary notwithstanding. *Vide 3 Geo. I. c. 9. & 6 Geo. I. c. 17.*

Chelsea hospital.

Half-pay officers.

Subsidies and arrears.

Deficiency of the classis lottery, 1711.

Deficiency of the classis lottery, 1712.

Commissioners of accounts, &c.

CAP. XXII.

An act for enabling his Majesty to settle a revenue for supporting the dignity of her royal highness the princess, in case she shall survive his royal highness the prince of Wales.

MOST gracious sovereign, *We your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being truly sensible how acceptable it will be to your Majesty, that a good, certain and competent revenue be settled for supporting the honour and dignity of her royal highness the princess, in case*

1 Ann. Stat. 1.
c. 7.

9 Ann. c. 10.

case she shall survive her royal consort the most excellent prince George prince of Wales, your Majesty's most dearly beloved son; and considering the happiness which this kingdom, by the blessing of Almighty God, cannot fail to enjoy, by a long succession of princes derived from her most illustrious royal highness the princess, who has, with a constancy and greatness of mind peculiar to herself, given early and never to be forgotten instances of her zeal for the protestant religion: and well knowing, that by an act made in the first year of the reign of her late majesty Queen Anne, (of blessed memory) for preserving the inheritance of several revenues of the crown, intituled, An act for the better support of her Majesty's household, and of the honour and dignity of the crown, all grants thereof (other than such as are therein expressed) are declared to be void; and that by the act made in the ninth year of her said late Majesty's reign, intituled, An act for establishing a general post-office for all her Majesty's dominions; and for settling a weekly sum out of the revenues thereof for the service of the war, and other her Majesty's occasions, it was enacted, That such part of the duties and revenues arising in or by the general letter-office or post-office, which was thereby vested in her Majesty, her heirs and successors, and therein mentioned to be undeterminable, should not be alienable, chargeable or grantable for any estate, term or time whatsoever, to endure longer than the life of the King or Queen that should make such alienation, charge or grant respectively; and that all gifts, grants, alienations and assurances whatsoever, to be had or made of, and charges upon the same duties or revenues, or any part thereof contrary to the provision of that act, should be null and void; do nevertheless most humbly, cheerfully and unanimously beseech your Majesty that it may be enacted, &c.

His Majesty, by letters patent, may grant to the prince of Wales an annuity of 50,000l. per annum, in case she survive the prince, to be paid quarterly, viz. 40,000l. per annum out of the post office. 9 Ann. c. 10. The remaining 10,000l. out of the hereditary excise. 12 Car. 2. c. 3. His Majesty, by letters patent, may assure to the princess Somerset-house, &c. His Majesty's grant of 100,000l. per annum to the prince of Wales, to be paid without fees, and free from taxes. This annuity may be specially charged on such branches of customs and excise as are applicable to the civil list, &c. E X P.

C A P. XXIII.

An act for making provision for the ministers of the fifty new churches, which are to be built in and about the cities of London and Westminster, and suburbs thereof; and for rebuilding and finishing the parish-church of Saint Mary Woolnoth in the said city of London.

9 Ann. c. 22.

MOST gracious Sovereign, Whereas by an act of parliament made in the ninth year of the reign of her late majesty Queen Anne, intituled, An act for granting to her Majesty several duties upon coals, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other

other purposes therein mentioned, it was enacted, That for all sorts of coals and culm, which from and after the fourteenth day of May one thousand seven hundred and sixteen, and before the nine and twentieth day of September one thousand seven hundred and twenty-four, should be imported and brought into the port of the city of London, or the river of Thames, within the liberty of the said city upon the same river, there should be paid to her said late Majesty, her heirs and successors, by way of imposition thereupon, over and besides all other impositions and duties, according to the rates therein and herein after mentioned; that is to say, from and after the said fourteenth day of May one thousand seven hundred and sixteen, and before the nine and twentieth day of September one thousand seven hundred and sixteen, for all such sorts of coals and culm as are usually sold by the chalders, for every chalders thereof, containing thirty-six bushels Winchester measure, the sum of two shillings; and for such sort of coals as are sold by the ton, for every ton thereof, containing twenty hundred weight, the sum of two shillings; and from and after the eight and twentieth day of September one thousand seven hundred and sixteen, and before the eight and twentieth day of September one thousand seven hundred and twenty-four, there should be paid for every such said chalders of coals and culm, and ton of coals, the sum of three shillings, the same to be raised, levied, collected and paid to her said late Majesty, her heirs and successors, as therein is mentioned: and it is thereby further enacted, That all and every such sum and sums of money, which should be raised, collected and levied by virtue of that act (the necessary charges of raising, managing and accounting for the same, excepted) should, from time to time, be brought and paid into the receipt of Exchequer, and by force and virtue of that act were and should be appropriated, issued, applied and disposed, for the building of fifty new churches of stone and other proper materials, with towers or steeples to each of them; whereof one was by the said act directed to be erected in the parish of East Greenwich in the county of Kent; and for purchasing of sites of churches, and church-yards, and burying-places, in or near the cities of London and Westminster, or the suburbs thereof; and for making such chapels, as were then already built and capable thereof, parish churches, and for purchasing houses for the habitations of the ministers of the said churches; and for applying the sum of four thousand pounds per annum, out of the said duties and impositions, towards the repairing and finishing the collegiate church of Saint Peter Westminster, and the chapels of the same; and also for applying the sum of six thousand pounds per annum out of the said duties and impositions arising by that act, towards the finishing Greenwich-Hospital, and the chapels therunto belonging, and to and for some other use, intent or purpose whatsoever: and it was thereby further enacted, That it should and might be lawful, to and for her said late Majesty, by letters patent under the great seal of Great Britain, to nominate, constitute and appoint such persons as her said late Majesty should think fit to be commissioners for the purposes in that act mentioned; which said commissioners, or so many of them as should by the said commission be authorized, are by the said act directed to enquire and

and inform themselves, in what parishes the said new churches (except that for Greenwich) were most necessary to be built, and of proper places for the sites of the said respective new churches, and also a cemetery or church-yard for each of the said churches, for the burial of christian people, to be purchased; and also which of the said chapels were fit to be made parish-churches; and to ascertain the several houses, lands, tenements and hereditaments, and the bounds and limits which in their judgments or opinion might be fit to be made distinct parishes; and to enquire and inform themselves, by the best means they could, of the value of such houses, lands, tenements and hereditaments, and of the respective estates and interests therein, which they should think necessary to be purchased for the said sites and cemeteries, and for houses for the habitations of the respective ministers; and the said commissioners were by the said act required, on or before the four and twentieth day of December one thousand seven hundred and eleven, to report or certify to her said late Majesty in writing, under their hands and seals, such matters and things as should appear to them upon their enquiries aforesaid, with their opinions thereupon, and present a duplicate of such report or certificate to each of the two houses of parliament, to the end such further directions might be given thereupon, as might be pursuant to her said late Majesty's pious intentions in the premises: and whereas by one other act of parliament, made in the tenth year of her said late Majesty's reign, intituled, An act for enlarging the time given to the commissioners appointed by her Majesty, pursuant to an act for granting to her Majesty several duties on coals, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned; and also for giving the said commissioners further powers for the better effecting the same; and for appointing monies for rebuilding the parish-church of Saint Mary Woolnoth in the city of London; reciting therein in part the said recited act, and that in pursuance thereof her said late Majesty, by letters patent under the great seal of Great Britain, did nominate, constitute and appoint several commissioners for the purposes in the said first recited act mentioned, with such powers and authorities as in the same act are expressed; and further reciting, that the said commissioners did apply themselves to the execution of the powers therein mentioned, but could not perfect within the time limited what was by the said act intended; it was therefore enacted by the said act of the tenth year of the reign of her said late Majesty, That notwithstanding the time limited by the said letters patent was expired, it should and might be lawful, so and for the said commissioners so appointed by the said letters patent, or any five or more of them, and they were thereby authorized and required to meet, from time to time, as often as there should be occasion, either with or without adjournments, and to enquire and inform themselves of all and every the matters and things therein committed to them, or any five or more of them, in or by the said first recited act, or by that present act intended to be by them performed, until they should have completed and finished the same: and it was thereby further provided

and

10 Ann. c. 11.

9 Ann. c. 22.

9 Ann. c. 22.

and enacted, That it should and might be lawful, to and for her said late Majesty, her heirs and successors, at any time before the twentieth day of September one thousand seven hundred and twelve, by letters patent under the great seal of Great Britain, to nominate, constitute and appoint such persons to be commissioners to execute all and every the powers in the said several acts mentioned, as her said late Majesty should think fit; and from such appointment so made, the powers granted by the said act of the tenth year of the reign of her said late Majesty, to the commissioners in the former letters patent, should determine: and whereas her said late Majesty did, in pursuance of the said last recited act, by letters patent under the great seal of Great Britain, bearing date on or about the seven and twentieth day of September one thousand seven hundred and twelve, nominate, constitute and appoint several persons to be commissioners for the purposes in the said recited acts mentioned; and that they, or any five or more of them, should do, perform and execute all and every the powers, matters and things in and by the said recited acts, and either of them, appointed to be done and performed: we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being zealous to provide such supplies as may enable your Majesty to pursue your pious and gracious intentions, to provide for the maintenance of the ministers who are to attend the service of God in the new churches to be erected, pursuant to the said recited acts of parliament, in or about the cities of London and Westminster, and suburbs thereof, for the honour of the church of England, and the advancement of our holy religion, do most humbly present to your Majesty the several impositions, rates and duties herein after mentioned, and do beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That for all sort of coals and culm which, from and after the twenty-seventh day of September one thousand seven hundred and twenty-four, and before the twenty-eighth day of September one thousand seven hundred and twenty-five, shall be imported and brought into the port of the city of London, or the river of Thames, within the liberty of the said city upon the same river, there shall be paid to his Majesty, his heirs and successors, by way of imposition thereupon, over and besides all other impositions and duties, according to the rates hereafter mentioned, that is to say, For all such sorts of coals and culm as are usually sold by the chalders, for every chalders thereof, containing thirty-six bushels, Winchester measure, the sum of three shillings; and for such sort of coals as are sold by the tun, for every tun thereof, containing twenty hundred weight, the sum of three shillings: which said respective sums of three shillings for every chalders of coals and culm, and tun of coals, shall from time to time, during the term before-mentioned, be raised, levied, collected and paid to his Majesty, his heirs and successors, in the same manner, method and form, and at such places, and by such rules, ways

10 Ann. c. 11.

Additional
imposition on
coals and
culm brought
into the port
of London,
&c. from Sept.
27, 1724, to
Sept. 28, 1725.
For the sta-
tutes relating
to these du-
ties, see the
note on 6 & 7
W. 3. c. 18,

The rates,

To be raised,
&c. as by any
act now in
force.

and means, and under such penalties and forfeitures as are mentioned, expressed and referred unto, in and by any act, law or statute, acts, laws or statutes now in force, for raising, levying, collecting or answering any other duty or duties now payable to his Majesty for or upon any coals or culm whatsoever, imported or brought coastwise into the said port of *London*; and that all and every the powers, authorities, penalties, forfeitures, disabilities, articles, rules and clauses in the same acts, laws and statutes, or any of them, mentioned or contained (except such and so much of them for and concerning which it is otherwise provided in this present act) shall be of such force and effect, to all intents and purposes, for the raising, levying, collecting and answering the impositions hereby granted, for and during the said term herein before limited, as if the same were particularly and at large set down and enacted by this act.

The money to be brought into the Exchequer, and appropriated for the maintenance of the ministers.

Part of this money how to be applied.
2 Geo. 2. C. 10. sect. 1.

II. And be it further enacted by the authority aforesaid, That all and every such sum and sums of money, which shall be raised, collected and levied by virtue of this act (the necessary charges of raising, managing and accounting for the same excepted) shall, from time to time, be brought and paid into the receipt of Exchequer, and by force and virtue of this act, are and shall be appropriated for and towards the providing due maintenances for the ministers to attend the service of God in the new churches to be erected in and about the cities of *London* and *Westminster*, and suburbs thereof, pursuant to the said recited acts of parliament, and shall for that purpose be issued, applied and disposed in such manner, as shall hereafter be directed by parliament.

Not to extend to coals for the use of Chelsea-hospital.

III. Provided, That this act, or any thing therein contained, shall not extend, or be construed to extend to charge or lay any of the duties or impositions hereby imposed upon such coals, (not exceeding one hundred chalders by the year) as shall be brought into the port of *London* from *Newcastle upon Tyne*, or any other place, for the only use and service of the royal hospital at *Chelsea*; any thing herein contained to the contrary notwithstanding.

The King may appoint commissioners to execute the powers in the former acts.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful, to and for his Majesty, his heirs and successors, by letters patent under the great seal of *Great Britain*, from time to time, to nominate, constitute and appoint such persons as his Majesty, his heirs and successors, shall think fit, to be commissioners, who, or any five or more of them, shall have power to execute all and every the powers, matters and things in and by the said recited acts, or either of them, appointed to be done and performed; any thing in the acts before recited, or in any other act or acts to the contrary notwithstanding: and also to enquire and inform themselves in what manner, by and out of the duties hereby granted, and otherwise, a due maintenance may be provided and settled for the ministers who are to attend the service of God in the said

And to inform themselves how a maintenance may be provided for

new

new churches, to be erected and built in and about the cities of London and Westminster, and suburbs thereof; which said commissioners, or any five or more of them, shall, on or before the twenty-fifth day of March one thousand seven hundred and sixteen, report or certify to his Majesty, his heirs and successors, in writing under their hands and seals, such matters and things as shall appear to them upon their enquiries as aforesaid, with their opinions thereupon, and present a duplicate of such report or certificate to each of the two houses of parliament, to the end such further directions may be given thereupon, as may be pursuant to his Majesty's pious intentions in the premises; and from such appointment of new commissioners so to be made, the powers granted to, or vested in the commissioners in the said last recited letters patent named, shall determine; but nevertheless all contracts and agreements, which were made and perfected by the said commissioners, in the said last recited letters patent named, on or before the twentieth day of August one thousand seven hundred and fifteen, shall be of the same force and effect as they would have been, if this present act had not been made.

the said ministers.
And shall, before March 25, 1716, certify their enquiries to his Majesty, and give a duplicate to each house of parliament.

The former commissioners power to determine.
But their contracts before Aug. 20, 1715, to be in force.

V. And whereas the provision made by the said recited act of the tenth year of her said late Majesty's reign, for rebuilding the parish church of Saint Mary Woolnoth, London, is at present ineffectual, by reason of the great charges and incumbrances upon the duty and revenue from which the said provision was to issue; and it is absolutely necessary that the said church should be immediately rebuilt: be it therefore enacted by the authority aforesaid, That the said parish church of Saint Mary Woolnoth, and the tower thereof, shall be rebuilt and finished in such manner as the said commissioners already authorized, or the commissioners to be authorized by virtue of this act, shall direct, out of the duties granted by the said recited act of the ninth year of her said late Majesty's reign; and that the monies to be employed for that purpose shall be replaced and made good out of, and by the monies applicable by virtue of the said act of the tenth year of her said late Majesty's reign, to the rebuilding and finishing the said church and the tower thereof. *Vide 4 Geo. 1. c. 5. & 4 & 5 Geo. 1. c. 9. & 1 Geo. 2. stat. 2. c. 8.*

Clause for rebuilding the parish church of St. Mary Woolnoth, London.

10 Ann. c. 11.

Ann. c. 22.

C A P. XXIV.

An act for appointing commissioners to take, examine and state the debts due to the army. E X P.

CAP. XXV.

An act to prevent disturbances by seamen, and others; and to preserve the stores belonging to his Majesty's navy royal; and also for explaining an act for the better preventing the imbezilment of his Majesty's stores of war, and preventing cheats, frauds and abuses in paying seamen's wages; and for reviving and continuing an act for the more effectual suppression of piracy.

WHEREAS divers fightings, quarrellings and disturbances, do often happen in and about his Majesty's offices, yards and stores belonging to his Majesty's royal navy, and frequent differences and disorders are occasioned in and about the office of his Majesty's treasury of the navy, on pay days in London, Portsmouth, and other places of meeting for the service of the said navy, by the unreasonable turbulency of seamen, and others, attending on or relating to that service, or their creditors, or by the rudeness of the officers intrusted with his Majesty's stores on land, or in his royal ships, when they are questioned by the principal officers and commissioners of the said navy, either for neglect or imbezilment of his Majesty's provisions, ammunition, or other equipage of the navy under their charge, not only to the disturbance of the peace, but sometimes to the danger and hindrance of his Majesty's service, both in point of husbanding his Majesty's revenue, and also in the dispatch of the ships, on which the honour and safety of his Majesty and kingdom so much depends, which inconveniencies require a speedier remedy than the ordinary course of justice; the parties accused or offending being many times bound to sea, and the principal officers and commissioners for want of authority to suppress such insolencies and disorders, and bear, determine and punish such offences, being necessitated to pass by many offences in which his Majesty might be righted, if their necessary attendance on that important service would permit the prosecution of the offenders before other ordinary judicatures: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in parliament assembled, and by the authority of the same, That the treasurer, comptroller, surveyor, clerk of the acts, and the commissioners of the navy for the time being, or any one or more of them shall, from and after the twenty-ninth day of September next ensuing, have power and authority, by warrant under any one or more of their hands and seals, to cause such offenders to be apprehended and brought before him or them, and to examine and punish all such person and persons whom he or they, upon their enquiry and examination of witnesses upon oath, (which oath he or they are hereby empowered to administer) or upon confession of the party or parties accused, or on view in his or their presence, shall find to have made, or have made any such disturbance, fighting or quarrelling in any the yards, stores, offices or places aforesaid, at

Treasurer, &c. of the navy empowered to punish persons who make disturbances in the yards, &c.

pay-days, or on other occasions relating to the naval services, in such manner as followeth (that is to say) that they, or any one or more of them, may punish any the said offences by fine, imprisonment, or either of them, the fine not exceeding twenty shillings, and imprisonment not exceeding one week; and have power in such cases to commit such person to the next gaol, or to the custody of the messenger or messengers for the time being attendant on them, who respectively are to receive and detain such person so offending; and that the said principal officers and commissioners, or any one or more of them then present, have hereby power and authority to discharge such fine or imprisonment, if they think fit, and for nonpayment of the fine so imposed and not remitted, to imprison the party offending until payment thereof, or otherwise to cause such offender or offenders to be sent to the next house of correction to the place where such offence shall be committed, there to be kept at hard labour for the space of two months, without bail or mainprize, which said fines shall be paid to the clerk of the chest at *Chatham* for the use of the maimed seamen.

II. And it is hereby further enacted by the authority aforesaid, That the said officers and commissioners, or any one or more of them (in cases where greater example or punishment is needful) may also bind the person or persons so offending, to their good behaviour, and to answer the offences whereof they shall be accused, at the next assizes or general quarter-sessions of the peace for the county or place where such offence shall be committed, with or without securities, as occasion shall be; and in default of such securities, where the same shall be required, to commit the person or persons offending, as aforesaid, to the common gaol of the county or place where such offence shall be committed, in order to their being prosecuted for such offence or offences at the next assizes or general quarter-sessions of the peace for such county or place.

And may bind the offenders to good behaviour, and to appear at the assizes, &c.

III. And whereas divers of his Majesty's stores and ammunition, pertaining to his navy and shipping, or service thereof, are often privately imbezilled or filched away: for the more effectual discovery of such stores and ammunition, it is hereby further enacted by the authority aforesaid, That the said principal officers and commissioners of his Majesty's navy, or any one or more of them, shall have hereby power to enquire, and by warrant under his or their hands and seals, to empower any person or persons to search for the same in all places, in like manner as justices of peace may do in case of felony, and punish the offenders by such fine and imprisonment, as aforesaid, the value of the goods so imbezilled or filched away, not exceeding the sum of twenty shillings, and cause the goods to be brought in again; and if the offence be of such nature as doth require an higher and severer punishment, then that they, any one or more of them, may commit such offender to the next gaol, or to the custody of their messenger or messengers aforesaid, till he or they offending, enter into recognizance with surety or sureties, according

The said officers empowered to enquire of the imbezilment of naval stores, and punish the offenders.

to the nature of the offence, to appear and answer to the same in his Majesty's court of Exchequer, or other court where his Majesty shall question him or them for the same, within one year following, on process duly served for that purpose on such offender or offenders.

IV. *And whereas divers ill-disposed persons upon pretences of carrying his Majesty's naval goods, provisions, victuals, stores and ammunition from his Majesty's yards, wharfs, storehouses, or other places, to his Majesty's ship or ships, or to such ship or ships as are employed in his Majesty's service, or such persons as are employed to recarry or remove from the said ship or ships such naval stores, goods, provisions, victuals, stores and ammunition, to such his Majesty's yards, wharfs, storehouses, or other places, do frequently imbezil, take and carry them away, where they cannot be found, and remove themselves to places unknown, before they can be apprehended or convicted by due process of law, by reason that those witnesses that should prove the said facts are bound forth to sea, or otherwise employed elsewhere, and it is found necessary that justice be more speedily done in such cases,*

When the goods imbezilled are under the value of 100s. the offender shall be fined.

than by ordinary course of law it can be : be it therefore enacted by the authority aforesaid, That the treasurer, comptroller, surveyor, clerk of the acts and commissioners of the navy, for the time being, or any one or more of them, where the goods so imbezilled, taken or carried away, shall be under the value of twenty shillings, shall have full power and authority, upon the oath of one or more witnesses (which they or any of them have hereby power to administer) or confession of such party so offending, as aforesaid, or other legal proof thereof, to convict the party or parties so offending, by writing under his or any of their hands and seals, and to impose such fine or fines upon all or every such person or persons so offending and convicted, as aforesaid, as to the said treasurer, comptroller, surveyor, clerk of the acts and the commissioners of the navy, for the time being, or any one or more of them, shall in his or their discretion seem meet ; the said fine or fines not exceeding double the value of the naval goods, provisions, victuals, stores or ammunition so imbezilled or carried away ; which fine or fines shall be levied by distress and sale of the goods of such offender, by virtue of the warrant of such officer or officers who shall so convict the said offender, directed in manner aforesaid, to the person or persons aforesaid, returning the overplus, if any be, to the owner of such goods ; or in case no sufficient distress can be found, as aforesaid, the party or parties so offending shall, by virtue of the warrant of such officer before whom such person or persons shall be convicted, be imprisoned in the next gaol for any space of time, not exceeding three months, without bail or mainprize.

Fine to be levied by distress, and for want thereof imprisonment for 3 months.

V. And be it further enacted by the authority aforesaid, That the said treasurer, comptroller, surveyor, clerk of the acts and commissioners of the navy for the time being, or any one or more of them, upon oath of one or more credible witnesses (which he and they have hereby power to administer) testifying,

That

That his Majesty's naval goods, stores, ammunition, or naval provisions, or any part thereof, are conveyed into any ship or vessel whatsoever, and mentioning the name of such ship or vessel being at anchor, and not ready to sail that tide, within any of the roads, harbours, creeks or rivers within his Majesty's dominions, or any person or persons by their or one of their warrant or warrants (in which warrant or warrants the quantity or quality of such goods shall be specified) thereunto authorized and appointed, in the day time, shall have full power and authority to go on board any such ship or vessel whatsoever, being within any of the places aforesaid; and in case resistance or refusal be made upon demand, to enter and break open the hatches and cabbins, or other places of such ship or vessel, and search therein for any such naval goods, stores, ammunition or provisions belonging to his Majesty's navy, which have been imbezilled, purloined and taken away; and the same to seize, take and carry away to any of his Majesty's yards or store-houses, to be applied to his Majesty's use, unless the said officers and commissioners, upon hearing the matter, shall find they were unduly seized, and thereupon restore them to the party claiming the same, which they are hereby impowered to do.

Naval stores imbezilled and put on ship-board shall be seized by warrant off the said treasurer, &c.

VI. And be it further enacted by the authority aforesaid, That every person or persons who shall counterfeit the hands of the treasurer, comptroller, surveyor, clerk of the acts, or of the commissioners of the navy, or of any of them, or the hand or hands of the signing or vouching officers of his Majesty's navy, ships or yards, or the hand or hands of any one or more of them, to any bill, ticket, or other papers, by virtue whereof his Majesty's naval treasure is or may be paid or disposed of, or shall knowingly produce any such counterfeit ticket, bill, or other paper, every such person or persons so offending, shall or may be lawfully committed to prison by the said officers or commissioners, or any one of them, until he shall find surety to appear at the next general assizes or quarter-sessions of the peace for the county, town or place where such offender shall be so committed to prison, to be there proceeded against according to law.

Punishment of counterfeiting the hand of the treasurer, &c.

VII. And whereas by an act made in the ninth and tenth years of the reign of his late majesty King William the Third, intituled, An act for the better preventing the imbezilment of his Majesty's stores of war, and preventing cheats, frauds and abuses in paying seamen's wages, among other things therein contained, reciting, That soasmuch as divers wicked persons for lucre and gain, had personated seamen who had really served, or were supposed to have served on board of his Majesty's ships, and thereby had received divers sums of his Majesty's money at the pay-office, or elsewhere, of his Majesty's officers appointed for payment of his Majesty's fleet and ships, in deceit as well of his Majesty as of the persons who had really served on board any of his Majesty's ships; and had also for such wicked purposes forged and counterfeited divers letters of attorney, or bills of sale, and assignments, or last wills, in the name or names of persons who

9 & 10 W. 3. c. 41.

had really served, or were supposed to have served on board his Majesty's said ships; and had and did also procure divers men or women to personate, and divers wicked persons did of their own accord personate the wives, relations or creditors of such seamen, who had or were supposed to have served on board of his Majesty's ships, and thereby had falsly taken out letters of administration to such seamen or seamen, having served or supposed to have served on board of his Majesty's ships, or had forged and counterfeited letters of attorney, bills of sale, or other authorities, in the names of the executors or administrators of such seamen, for the receipt of such wages as were due or supposed to be due to such seamen, having served or supposed to have served, as aforesaid: for the prevention of which said wicked practices, it was thereby enacted, That all and every such person or persons, his, her or their aiders or abettors, that should be convicted of the said crimes and offences committed, from and after the twenty-fourth day of June which was in the year of our Lord one thousand six hundred ninety-eight, should for every such offence, over and above the penalties to be inflicted by any laws then in force, forfeit the sum of two hundred pounds, together with costs of prosecution: and whereas some doubts have arisen, whether any offender or offenders, who shall or may be convicted of some or one of the crimes or offences mentioned in the said act, and shall not be convicted of all the same crimes and offences, shall, as the said act is penned, be subject and liable to the penalties in the said act imposed on such offenders: for explaining whereof, be it enacted and declared by the authority aforesaid, That all and every person and persons, his, her or their aiders or abettors, aider or abettor, that shall be convicted of all or any the crimes or offences aforesaid in the said last recited act mentioned shall, for every such crime or offence, over and above the penalties to be inflicted by any other law now in force, be subject and liable to the pains and penalties inflicted by the said last mentioned act, to be recovered and distributed as in the same recited act is mentioned.

Persons convicted of any the crimes in the recited act, shall be liable to the punishment thereby inflicted.

The judge may mitigate the penalties imposed by the said act.

VIII. Provided always, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the judge, justice or justices, before whom such offender or offenders shall be tried or convicted of all or any the crimes or offences before mentioned, to mitigate the said penalties and forfeitures by the same act imposed, according to his or their discretion, or in lieu thereof, to punish such offender or offenders in the premises corporally, by causing him, her or them, to be publickly whipped and committed to some publick work-house, there to be kept to hard labour for the space of three months, or less time, as to such judge, justice or justices, shall in his or their discretion seem meet; any thing in the said act contained to the contrary thereof in any wise notwithstanding.

The admiralty, &c. may administer oaths in cases relating to the receiving,

IX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the lord high admiral of Great Britain and Ireland for the time being, or the commissioners for executing the office of lord high admiral of Great Britain and Ireland for the time being, or any one or more of

of them, the secretary or secretaries of the said lord high admiral, or commissioners for executing the office of lord high admiral for the time being, and to and for the treasurer, comptroller, surveyor, clerk of the acts, and the commissioners of his Majesty's navy for the time being, or for any one or more of them, to administer an oath or oaths, in any case or cases relating to the receiving, keeping, issuing and accounting for any part of his Majesty's treasure, victuals, stores or provisions of his Majesty's navy, or for the preservation of due order and discipline therein, or in any other matter or thing relating to his Majesty's navy, or the affairs thereof.

X. And it is hereby further declared and enacted by the authority aforesaid, That the said treasurer, comptroller, surveyor, clerk of the acts, and the commissioners of the navy, for the time being, or any one or more of them, may execute all and every the powers hereby, or by any other law given them, or any of them, on all and every the offenders aforesaid, in all places as well within liberties as without; any law, statute, ordinance, charter or privilege to the contrary notwithstanding.

The treasurer of the navy, &c. may execute the powers hereby given them, as well within liberties as without.

XI. Provided always, and it is hereby declared, That no clause, sentence, or other matter in this act contained, shall repeal, alter, change, or be interpreted to make void any of the clauses, matters or things, specified or contained in one act of parliament made in the two and twentieth year of the reign of his late majesty King Charles the Second, intituled, *An act for taking away the benefit of clergy from such as steal cloth from the rack, and from such as shall steal or imbezil his Majesty's ammunition and stores*; but that the same act shall remain in full force and virtue, for and notwithstanding any thing herein contained.

This act shall not repeal, &c. the act of 22 Car. 2. c. 3.

XII. Provided also, and be it further enacted, That all and every the powers hereby given to any officer or commissioner of the navy, may be exercised by the lord high admiral of Great Britain and Ireland for the time being, or the commissioners for executing the office of lord high admiral of Great Britain and Ireland for the time being, or any one or more of them.

The admiralty may execute the powers in this act.

XIII. Provided also, and be it further enacted, That no person or persons who shall be punished by virtue of this act, shall be punished by force of any other law for the same offence.

None shall be again punished for the same offence.

XIV. Provided always, and it is hereby enacted by the authority aforesaid, That this present act, and also the said act made in the ninth year of the reign of his late Majesty King William the Third, shall be deemed, construed, allowed and taken notice of in all courts of law and equity, and by all judges and justices whatsoever, and in all other places and jurisdictions whatsoever, without pleading or setting forth the same, as and for publick acts to all intents and purposes whatsoever.

This and the act 9 & 10 W. 3. c. 41. shall be deemed publick acts.

XV. And be it further enacted by the authority aforesaid, That all and every the convictions and judgments which shall be had, made or given in pursuance of this act, shall be final, and not subject to any appeal or certiorari, nor be removed, suspended or suspended thereby, or by any of them; any law,

Convictions on this act to be final.

statute.

statute or provision to the contrary thereof in any wise notwithstanding.

Persons sued
may plead the
general issue,
&c.

XVI. And it is hereby further enacted by the authority aforesaid, That if any person or persons shall at any time be sued or prosecuted for or on account of any matter or thing by him or them done or executed in pursuance of this act, or the said act made in the ninth year of the reign of his late Majesty King William the Third, he or they shall or may plead the general issue, and give this act and the said last mentioned act, and the special matter in evidence for his or their defence, and if upon a trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall be nonsuit, or discontinue his or their action or suit, or judgment shall otherwise pass for the defendant or defendants therein, then such defendant or defendants shall have double costs to him or them awarded against such plaintiff or plaintiffs, to be levied in such manner as costs in other actions may be levied.

and shall recover double costs.

The acts of
11 & 12 W. 3.
c. 7. and 5
Ann. c. 34. to
be in force
during this
act.

XVII. And it is hereby enacted by the authority aforesaid, That an act made in the eleventh year of the reign of his said late majesty King William the Third, intituled, *An act for the more effectual suppressing of piracy*, which was thereby to be in force for seven years, and from thence to the end of the next session of parliament, after the expiration of the said seven years, and which by an act made in the fifth year of the reign of her late majesty Queen Anne, intituled, *An act for continuing the laws therein mentioned relating to the poor, and to the buying and selling of cattle in Smithfield, and for suppressing of piracy*, was enacted to remain in full force for seven years, and from thence to the end of the next session of parliament, shall from and after the said twenty ninth day of September next ensuing, be revived, and the same is hereby enacted to be in force during the continuance of this act.

Duration of
this act.

XVIII. Provided, That this act shall be in force for five years, and to the end of the next session of parliament, after the expiration of the said five years, and no longer. *Made perpetual by 9 Geo. 1. c. 8. s. 3.*

CAP. XXVI.

An act for continuing several laws therein mentioned relating to coals, hemp and flax, Irish and Scotch linen, and the assize of bread; and for giving power to adjourn the quarter-sessions for the county of Anglesea, for the purposes therein mentioned.

WHEREAS divers temporary laws which by experience have been found beneficial and useful, are expired or near expiring; therefore for continuing the same, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That an act made in the session of parliament held in the ninth year

of

of the reign of the late Queen Anne, intituled, *An act to dissolve the present, and prevent the future combination of coal-owners, lighter-men, masters of ships, and others, to advance the price of coals, in prejudice of the navigation, trade and manufactures of this kingdom, and for the further encouragement of the coal trade*, which was to continue for three years, and from thence to the end of the next session of parliament, which act was further continued by an act made in the first year of the reign of his present majesty King George, which will expire at the end of this session of parliament, shall be made perpetual.

The act of 9 Ann. c. 28. made perpetual.

II. And be it further enacted by the authority aforesaid, That an act made in the session of parliament, held in the eleventh and twelfth years of his late majesty King William the Third, intituled, *An act for the better ascertaining the tithes of hemp and flax*, which was to continue for seven years, and from thence to the end of the next session of parliament; which act was further continued by an act made in the sixth year of her said late majesty Queen Anne, for seven years, from the expiration thereof; which act was further continued by an act made in the first year of his present majesty King George, and will expire at the end of this present session of parliament, shall be made perpetual.

The act of 11 & 12 W. 3. c. 16. made perpetual.

6 Ann. c. 28.

III. And be it further enacted by the authority aforesaid, That so much of the act made in the third and fourth years of the reign of her said late majesty Queen Anne, intituled, *An act to permit the exportation of Irish linen cloth to the plantations, and to prohibit the importation of Scotch linen into Ireland*, as relates to the liberty of exporting Irish linen to the West-Indies, shall continue and remain in full force for the term of one year, and from thence to the end of the next session of parliament.

The act of 3 & 4 Ann. c. 8. continued. Farther continued by 3 Geo. 1. c. 21.

IV. And be it further enacted by the authority aforesaid, That an act made in the session of parliament held in the eighth year of the reign of her said late majesty Queen Anne, intituled, *An act to regulate the price and assize of bread*, which was to continue for three years, and from thence to the end of the next session of parliament; which act was further continued by the said act made in the first year of the reign of his present majesty King George, and will expire at the end of this present session of parliament, shall be, continue and remain in full force for the term of three years, and from thence to the end of the next session of parliament.

The act of 8 Ann. c. 18. continued. 12 Geo. 2. c. 13. 23 Geo. 2. c. 46.

V. And whereas by the said act made in the eighth year of the reign of her late majesty Queen Anne, intituled, *An act to regulate the price and assize of bread*, a penalty of forty shillings is laid upon all persons baking or making bread for sale, or exposing to sale any bread wanting the due weight, or that should not be marked according to the direction of the said act; which said penalty hath by experience, been found to be too great a hardship, and tended very much to the oppression of the bakers, sometimes for very minute and inconsiderable defaults, and such as they (through the many accidents the said trade is subject to) cannot always prevent some small diminution of weight, by being overbaked, stale, or one loaf sticking to another, while the other hath

8 Ann. c. 18.

The penalty
in 8 Ann. c. 18.
repealed.

After 1 Sept.
1715. Bakers
making bread
deficient in
weight shall
for every
ounce forfeit
5 s. and want-
ing less ss. 6d.

When prose-
cution to be.

Forfeiture to
the informer,
and to be re-
covered as by
8 Ann. c. 18.

Peck loaves,
&c. to be made
according to
the affize-
table in
8 Annæ, c. 18.

After Sept. 1.
1715. the
prices of
grain, &c. to
be certified on
oath before
the lord
mayor, &c.

both the over-weight; and the mark put upon bread, by reason of the fermenting of the yeast, becoming very often imperfect, and sometimes not apparent: for remedy of which hardships for the future, be it enacted by the authority aforesaid, That the said penalty of forty shillings, mentioned in the said act for want of weight of bread, or not being marked, and upon no other account, according to the directions of the said act, shall from and after the first day of September one thousand seven hundred and fifteen be repealed; and that from and after the said first day of September, if any baker, or other person or persons, baking or making bread for sale, or exposing bread to sale, shall bake, make, sell or expose to sale any bread which shall be deficient in weight (according to the assize of bread to be set pursuant to the directions of the said recited act) to the amount of one ounce or more, he, she or they so doing, being thereof lawfully convicted, shall for every offence forfeit and pay the sum of five shillings for every ounce of bread so wanting, and for any bread wanting any weight less than an ounce, the sum of two shillings and six pence; such bread being complained of and weighed before a magistrate, or justice or justices of peace, or before any person by him or them appointed, within twenty-four hours after the same shall be baked or exposed to sale within the cities of London and Westminster, and bills of mortality, and within three days in all other cities, towns or places, within that part of Great Britain called England, Wales, and town of Berwick upon Tweed; the said forfeiture and forfeitures to be given to the use of the informer or informers, and to be adjudged, levied and recovered in such manner as the said penalty of forty shillings is by the said act of the eighth year of her said late Majesty's reign, to be adjudged, levied and recovered.

VI. And whereas in the said recited act of the eighth year of her said Majesty's reign, there is no provision made for making and selling peck, half-peck, quartern, and half-quartern loaves, which some magistrates, pursuant to the power and authority to them given by the said act, have thought fit to allow of and licence in some places, while others have thought fit not to allow of or licence the same: and forasmuch as several of his Majesty's subjects, are desirous to have such sort of bread, be it therefore further declared and enacted by the authority aforesaid, That every baker or bakers shall and may, from and after the said first day of September, one thousand seven hundred and fifteen, make, bake, sell, and expose to sale, peck, half-peck, quartern, and half-quartern loaves, so as the same are made and sold, both as to weight and price, in proportion to the assize-table contained in the said former act.

VII. And to the intent that the assize of bread may be truly set, according to the real prices of wheat, meal, or flour, whereof such bread is made; be it further enacted by the authority aforesaid, That from and after the said first day of September one thousand seven hundred and fifteen, every time the assize is or shall be altered, according to the powers by the said recited act given, the prices of grain, meal, and flour in the adjacent markets where such
assize

assize shall be set (the said prices to be ascertained according to the *Winchester* measure) shall, from time to time, be given in and certified upon oath before the said lord mayor and aldermen of the city of *London*; or to the said chief magistrate or magistrates, or justices, who by the said act are respectively authorized and impowered to set such assize, by the clerk or clerks of the respective adjacent market, or such other person or persons as the said magistrate shall appoint; so that they may set the assize accordingly, and make such a reasonable allowance to the bakers for their charges, pains, and livelyhood, as heretofore has been accustomed; and that the assize of bread for the city of *London* and weekly bills of mortality (the city of *Westminster* and liberties thereof, the borough of *Southwark* and weekly bills of mortality in the county of *Surrey*, excepted) shall, from time to time, be set by the court of lord mayor and aldermen of the city of *London*, or by the lord mayor of the said city, for the time being, by order of the said court; any thing in the said former act contained to the contrary notwithstanding.

The assize of bread for *London*, &c. (*Westminster*, &c. excepted) to be set by the court of lord mayor and aldermen,

VIII. And whereas by an act of parliament made in the second year of the reign of King Edward the Sixth, intituled, An act for keeping of the great sessions, quarter-sessions, and county-courts at the town of *Beaumaris* in the county of *Anglesea*: it was enacted, That as well the great sessions of the said county of *Anglesea*, as all and every shire, and county-day or days, and sessions of the peace, to be holden for the said county of *Anglesea*, shall be holden and kept within the said town of *Beaumaris*, and within the liberties of the same town, and not elsewhere, except as in the said act is excepted; any grant, law, usage, or prescription theretofore had, obtained, or used, in any wise to the contrary notwithstanding: be it nevertheless hereby enacted, That it shall be lawful for the justices of the peace of the said county of *Anglesea*, to adjourn the quarter-sessions to be holden for the said county, from time to time, to any other part of the said county, as to them shall seem meet and convenient, for the ease and benefit of such as shall be obliged to take the oaths appointed by law to be taken to his Majesty, his heirs and successors, and to and for no other use, intent, or purpose whatsoever.

Dyer 133. Pl. 24.

The justices may adjourn the quarter-sessions of *Anglesea*, for the ease of such as shall take the oaths.

CAP. XXVII.

An act for taking and stating the debts due and growing due to Scotland by way of equivalent in the terms of the union; and for relief of the creditors of the publick in Scotland, and the commissioners of the equivalent.

WHEREAS by the fifteenth article contained in the acts for union of the two kingdoms of England and Scotland, it is recited or mentioned, That by the terms of the treaty for the said union, the subjects of Scotland, for preserving an equality of trade throughout the united kingdom, would be liable to several customs and excises then payable in England, which would be applicable towards payment of the debts of England contracted before the union: and it was agreed,

Reciting the 15th article in the union act. 5 Anne, c. 2.

agreed, that Scotland should have an equivalent for what the subjects thereof should be so charged towards payment of the said debts of England, in all particulars whatsoever, in manner therein mentioned, viz. That the sum of three hundred ninety-eight thousand eighty-five pounds and ten shillings should be granted to her late Majesty by the parliament of England, for the uses therein mentioned, being the equivalent to be answered to Scotland, for such parts of the said customs and excises upon all exciseable liquors, with which that kingdom was to be charged upon the union, as would be applicable to the payment of the said debts of England, according to the proportions which the then present customs in Scotland, being thirty thousand pounds per annum, did bear to the customs in England, computed at one million three hundred forty-one thousand five hundred fifty-nine pounds per annum; and which the then present excises on exciseable liquors in Scotland, being thirty-three thousand five hundred pounds per annum, did bear to the excises on exciseable liquors in England, computed at nine hundred forty-seven thousand six hundred and two pounds per annum; and in regard that after the union, Scotland becoming liable to the said customs and duties payable on import and export, and to the same excises on all exciseable liquors, as in England, as well upon that account, as upon the account of the increase of trade and people, the said revenues would much improve beyond the before-mentioned annual values thereof, of which no estimate could then be made: yet nevertheless, for the reasons aforesaid, it is in the said article declared, That a proportionable equivalent ought to be answered to Scotland; and it was thereby agreed, That after the union there should be an account kept of the said duties arising in Scotland, so the end it might appear what ought to be answered to Scotland, as an equivalent for such proportion of the said increase as should be applicable to the payment of the debts of England: and for the further and more effectual answering the several ends mentioned in that article; it was agreed, That from and after the union the whole increase of the revenues of customs and duties on export and import, and excises upon exciseable liquors in Scotland, over and above the annual produce of the said respective duties, as above stated, should go and be applied for the term of seven years to the uses therein mentioned; and that upon the said account there should be answered to Scotland annually, from the end of seven years after the union, an equivalent in proportion to such parts of the said increase, as should be applicable to the debts of England; and generally that an equivalent should be answered to Scotland, for such parts of the English debts as Scotland might thereafter become liable to pay by reason of the union, other than such for which appropriations had then been made by parliament in England, of the customs, or other duties on export and import, or excises on all exciseable liquors; in respect of which debts, equivalents were therein before provided: and by the said fifteenth article it was provided, That the said sum of three hundred ninety-eight thousand eighty-five pounds and ten shillings, and also the whole increase of the said revenues of customs, duties and excises, above the then present value, which should arise in Scotland during the said term of seven years; together with the equivalent which should become due upon the improve-

went thereof in Scotland after the said term; and also as to all other sums which, according to the agreements therein mentioned, should become payable to Scotland by way of equivalent for what that kingdom should thereafter become liable towards payment of the debts of England, should be applied to the respective uses therein mentioned; and her late Majesty was thereby impowered to appoint commissioners for the purposes therein mentioned; which commissioners should be impowered to call for, receive and dispose the moneys aforesaid, and to inspect the books of the several collectors of the said revenues, and of all other duties from whence an equivalent might arise; and the collectors and managers of the said revenues and duties were thereby obliged to give to the said commissioners subscribed authentick abbreviates of the produce of such revenues and duties arising in their respective districts; and that the said commissioners, should have their office within the limits of Scotland, and should in such office keep books containing accounts of the amount of the equivalents, and how the same should have been disposed of from time to time, which might be inspected by any of the subjects desiring the same: and whereas the said sum of three hundred ninety-eight thousand eighty-five pounds and ten shillings was duly paid to Scotland, to be applied to the said uses, according to the act of union, and other acts of parliament since made in that behalf; and her said late Majesty, by letters patent under the great seal of Great Britain, did appoint commissioners for the purposes aforesaid, but the said commissioners, by reason of several difficulties, and particularly for want of the proper vouchers and accounts, whereby the debts of England incurred before the union, and for which provision has been made since the treaty of union, might be distinguished from the charges and service of the several following years, could not keep such books as the said article directed: for remedy whereof be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That commissioners shall be appointed and authorized to the purposes after mentioned; which commissioners his Majesty is hereby impowered to nominate and appoint under the great seal of Great Britain, with such salaries to the commissioners, and allowances for clerks, and incident charges, as his Majesty shall think fit, for taking, examining and stating the debts due and growing due to Scotland, by way of equivalent; which commissioners are hereby impowered and authorized to issue their precepts to all officers whatsoever, employed or to be employed in the managing, collecting, receiving or paying the publick revenue, or in rendering, controlling or auditing the accounts of the same, to give such accounts and abbreviates duly signed, as to these commissioners shall appear necessary for that purpose; and particularly the said commissioners are hereby authorized to take and state the accounts of what equivalents and increase have become due to Scotland, according to the agreements in the said treaty, from the commencement of the union to the first day of May one thousand seven hundred and fourteen, and of the application of the monies levied in Great Britain, in the several years

The King may appoint commissioners for stating the equivalent.

The commissioners may issue precepts to all officers of the publick revenues.

And state the accounts from the union to May 1, 1714.

years since the union, distinguishing the parts which have been applied for payment of the debts of *England* incurred before the union, from such parts as have been for the service of the united kingdom in the several subsequent years, and of all publick monies, that by any ways or means whatsoever have arisen and were due and payable in *Scotland*, during the first seven years after the union, according to the said treaty of union, and of all arrears yet standing out proper to the account of that time; and also of the publick money due and payable for the service of the year one thousand seven hundred and seven, or before that time, which has since been paid, or is still standing out; and of the civil and military establishment for that year; and in like manner of what monies have been advanced and paid out of the treasury of *England* towards making up the actual expence which should have been provided for by the parliament of *Scotland*, and of the state of the revenues of both nations, as computed at the time of the treaty, and for the several years since; and also to take and state what proportion of the increase of the customs and excise of *Scotland*, over and above the annual produce of these respective duties, as stated in the fifteenth article of union, are and will, after the expiration of the term of seven years mentioned in that article, be applicable to the payment of the debts of *England* contracted before the union; and to take and state an account of what parts of the duties imposed since the union, are and will be applicable to the payment of the like debts incurred before that time, and generally to specify the parts and proportions of the revenue of *Scotland*, and every branch thereof, which are and will be applicable to the payment of the said debts in *England*, in consequence of the appropriations made since the treaty of union and the time of the continuance of these appropriations, to the end that a true and just state and account of all these matters may be made up pursuant to the agreements in the said treaty of union, according to the true meaning and intent thereof, and a report thereof may be laid before the King and both houses of parliament, for their final determination thereupon.

Commissioners may administer oaths.

II. And it is further enacted, That the said commissioners, or any two of them, shall and may, and are hereby impowered and authorized to administer an oath to the proper officers from whom they receive any accounts or abbreviates, as to the truth and justness of such accounts, to the best of their knowledge.

How long the commission shall continue in force.

III. And it is hereby declared, That this commission, together with the powers hereby granted, shall continue in full force and virtue from the issuing thereof, during the space of one whole year, and till the end of the then next session of parliament, to the intent and purpose that the accounts between the two nations, upon the agreements in the treaty of union, may be fully stated, and laid before his Majesty and both houses of parliament, as aforesaid.

Officers not obliged to tra-

IV. Provided always, That none of the said officers or persons, who are hereby required to obey such precepts of the said com-

com-

commissioners, as aforesaid, shall be obliged, for doing thereof, ^{vel farther} to travel further than the cities of *London, Westminster, and Edinburgh*, or any of them. ^{than London or Edinburgh.}

V. Provided also, That if the said commissioners, in the execution of this act, shall meet with difficulties in points of law, ^{Difficulties in point of law to be stated by the commissioners.} the same shall be specially stated in their report for determination in parliament.

VI. And be it further enacted by the authority aforesaid, That any two of the said commissioners, before they enter upon the execution of this act, shall take an oath before the lord high chancellor of *Great Britain*, or master of the rolls, (which oath they, or either of them, are hereby respectively authorized and required to administer to them;) the tenor whereof shall be as followeth: ^{Commissioners to be sworn:}

I A. B. do swear, That, according to the best of my skill and knowledge, I shall faithfully, impartially and truly demean myself, in taking, examining and stating the debts due and growing due to Scotland, by way of equivalent, according to the agreements in the treaty of union, and in all matters and things, brought, or to be brought before me, in execution of an act, intituled, An act for taking and stating the debts due and growing due to Scotland, by way of equivalent in the terms of the union, and for relief of the creditors of the publick in Scotland, and the commissioners of the equivalent. ^{The oath.}

And every other of the said commissioners to be appointed by his Majesty, pursuant to this act, before he enters upon the execution of the said act, shall likewise take the same oath before the said commissioners, who are hereby authorized and required to administer the same to them, after having taken the said oath themselves, as aforesaid.

VII. And for the relief of the creditors of the publick in Scotland, and of the commissioners of the equivalent, until the accounts herein after mentioned are taken and stated, according to the true meaning of this act: be it further enacted by the authority aforesaid, That the lords commissioners of the treasury, or lord high treasurer for the time being, shall and may, on or before the first day of November one thousand seven hundred and fifteen, issue their order or orders for the payment of a sum not exceeding fifteen thousand eight hundred twenty-two pounds eight shillings and seven pence three farthings, to the commissioners of equivalent in Scotland for the time being, or any person or persons to be appointed by them, or any two of them, out of any monies arisen or to arise by the said revenues of customs and excise of Scotland, or either of them; which sum of fifteen thousand eight hundred twenty-two pounds eight shillings and seven pence three farthings, shall be applied by the said commissioners of equivalent, and they are hereby directed and required to apply the same, for payment of one year's interest, viz. from the twenty-third of June one thousand seven hundred and fourteen, ^{The treasury may issue 15,822 l. 8 s. 7 d. 3 q. to the commissioners of equivalent in Scotland.} for payment of one year's interest,

stated due to
the creditors
of the publick
in Scotland,
by 12 Ann.
Stat. 2. c. 23.

And for pay-
ment of the
commissioners
salaries :

The said sum
to be brought
into account.

Commission-
ers shall incur
no penalties,
&c.

to the twenty-fourth of *June* one thousand seven hundred and fifteen, of the capital sum of two hundred thirty thousand three hundred and eight pounds nine shillings and ten pence, and five sixth parts of one penny, stated due to the said creditors of the publick in *Scotland* on the twenty-fourth of *June* one thousand seven hundred and fourteen, by an act of the twelfth year of her late Majesty's reign, intituled, *An act to discharge and acquit the commissioners of equivalent for the sum of three hundred eighty-one thousand five hundred and nine pounds fifteen shillings and ten pence half-penny, by them duly issued out of the sum of three hundred ninety-eight thousand eighty-five pounds and ten shillings, which they received*; and for the payment of the salaries of the said commissioners of equivalent, and of the fees and salaries of their servants, and necessary charges, from the said twenty-third day of *June* one thousand seven hundred and fourteen, to the twenty-fourth day of *June* one thousand seven hundred and fifteen; which sum so to be advanced and paid to the said commissioners of the equivalent for the purposes aforesaid, shall be brought into the accounts to be taken and stated by the said commissioners to be appointed by this act, and chargeable upon any monies which now are or hereafter shall be found due to *Scotland*.

VIII. Provided always, and be it enacted by the authority aforesaid, That none of the commissioners to be appointed pursuant to this act, shall incur any penalties, forfeiture, incapacity or disability whatsoever, for putting this act in execution. *Vide* 3 Geo. I. c. 14. & 5 Geo. I. c. 20.

CAP. XXVIII.

An act for repealing an act, intituled, An act for repealing part of an act passed in the parliament of Scotland, intituled, Act for discharging the Yule vacance.

10 Ann. c. 13.

The act 10
Ann. c. 13.
repealed.

WHEREAS by an act passed in the tenth year of her late majesty *Queen Anne*, of blessed memory, intituled, *An act for repealing part of an act passed in the parliament of Scotland, intituled, An act for discharging the Yule vacance*; it was enacted and declared, That the Christmas vacation of the session or college of justice, and all other inferior courts of justice in that part of Great Britain called *Scotland*, shall yearly, in all time coming, continue and endure from the twentieth day of *December* to the tenth of *January*, both inclusive: and whereas also the said vacation has been by experience found to be a great interruption to the course of business and administration of justice, and greatly prejudicial to the subjects of that part of Great Britain: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the aforesaid act passed in the tenth year of her late majesty *Queen Anne*, shall be and is hereby repealed and made void.

CAP. XXIX.

An act for allowing a time for two hundred and thirteen families of protestant Palatines, now settled in Ireland, to take the oaths, in order to inscribe them to all the benefits intended them by the act of the seventh year of her late Majesty's reign, for naturalizing foreign protestants.

E X P.

Anno Regni GEORGH I. Regis Magnæ Britannicæ, Franciæ, & Hiberniæ, primo.

AT the parliament begun and holden at Westminster, the seventeenth day of March, Anno Domini one thousand seven hundred and fourteen, in the first year of the reign of our Sovereign Lord GEORGE, by the Grace of God, of Great Britain, France and Ireland, King, defender of the faith, &c. being the first session of this present parliament: and from thence continued by several adjournments to the ninth day of January one thousand seven hundred and fifteen, in the second year of his Majesty's reign.

Note; The file of the rolls to the following acts is the same as in page 137, without any alteration.

CAP. XXX.

An act for continuing the act of this present session, intituled, *An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.* E X P.

CAP. XXXI.

An act for granting an aid to his Majesty by a land-tax in Great-Britain, for the service of the year one thousand seven hundred and sixteen.

E X P. 4s. in the pound, E X P.

CAP. XXXII.

An act to attaint John earl of Mar, William Murray, Esq; commonly called marquis of Tullibardine, James earl of Linlithgow, and James Drummond, Esq; commonly called lord Drummond, of high treason.

CAP. XXXIII.

An act for the more easy and speedy trial of such persons as have levied or shall levy war against his Majesty.

WHEREAS a horrid and unnatural rebellion and war has been openly and traiterously raised and levied against his Majesty within this realm, and is still continued, with design to depose and murder his most sacred Majesty, and to set a popish pretender, bred up and instructed in Romish superstition and arbitrary principles, on the throne of these realms: and whereas great numbers of such as have joined in the said rebellion, have been, by his Majesty's vigilance and care, lately seized, and for safer custody necessarily distributed into several prisons in different counties: and whereas many of the chief of the said rebels have been, in order to lay open and discover the foundations and causes of the said rebellion and treasons, with much trouble and expence to the crown, brought up to London, and parts adjacent,

in order to be examined: and so farasmuch as bills of indictment, as the law now stands, are to be found in the counties where the said treasons are committed: but as it will be very inconvenient to the publick justice of the nation, that the judges should remain so long in the said counties as will be necessary for the trying of the said offenders, so it will be very burthensome and grievous to the freeholders of the same counties to attend so many trials as may be necessary to be had for the safety of the publick: to the end therefore that the said offenders may not conceive any hope of impunity from the distance of the several counties where the said treasons are committed, or from any power or interest they may have therein, and that justice may more speedily and securely be administered against the said offenders, and proper examples made, in such seasonable time as may be a means to suppress the remains of the said rebellion, and preserve the peace and tranquillity of these kingdoms: be it enacted, &c.

All persons in custody for high treason before Jan. 23, 1716, may be tried in such shire as his Majesty shall direct. And no challenge for the shire shall be allowed. Peers shall be tried by their peers. The place of indictment or trial not to be altered, unless the persons indicted have been in actual rebellion. E X P.

C A P. XXXIV.

An act for preventing mutiny and desertion, and for the better payment of the army and their quarters. E X P.

C A P. XXXV.

An act to appoint a commissioner for taking, examining and stating the debts due to the army, in the room of Thomas Smith, Esq; deceased; and for continuing the former act until the tenth day of March one thousand seven hundred and sixteen. E X P.

C A P. XXXVI.

An act for charging and continuing the duties on malt, mum, cyder and perry, for the service of the year one thousand seven hundred and sixteen; and for compelling several receivers to finish and clear their accounts; and for making duplicates of Exchequer-bills, lottery-tickets and orders, lost, burnt or destroyed; and for enlarging the time for adjusting claims to certain benefit-tickets; and for allowing the charge of executing the lottery-act, for the service of the year one thousand seven hundred and ten; and for recovering monies of several land-taxes, resting in the hands of collectors or constables at St. Albans; and for preventing frauds in the duties upon soap; and for limiting a time for persons who have certain annuities for life or lives, to demand the payments thereupon at the Exchequer; and for preventing frauds in the duties relating to printed and painted paper, callicoes, and other things therein mentioned.

For preventing frauds in the duties upon soap,

XIV. **A**ND whereas by an act made in the tenth year of the reign of our late sovereign lady Queen Anne, amongst other things, for laying several duties upon all soap made in Great Britain,

or imported into the same: it is enacted, That if any makers of *sope* shall fraudulently hide or conceal, or cause to be hid or concealed, any *sope* chargeable by the said act, or any the materials for making the same, to the intent to deceive her Majesty of the just duties by the said act granted, that then, and in every such case, the party so offending shall forfeit for every such offence the sum of twenty pounds: and whereas by one other act made in the twelfth year of the reign of her said late Majesty, amongst other things, for laying additional duties on *sope*, farther duties are granted upon *sope*; and by the said last mentioned act it is amongst other things enacted, That all the powers, authorities, rules, directions, penalties and forfeitures, clauses, masters and things whatsoever, contained in the said act of the tenth year of her said Majesty's reign, for raising, receiving, levying, recovering, securing and paying the said duties on *sope*, as are by the said last mentioned act charged with new or additional duties thereupon, should be continued, practised and put in execution, for raising, receiving, levying, recovering, securing and paying the same new or additional duties by the said last mentioned act granted, and all arrearages thereof, as fully and effectually, to all intents and purposes, as if they were particularly and at large repeated in the body of the said last mentioned act; except in such cases only where any alteration therein is specially made by the said last mentioned act, as by the said several acts more at large may appear: and whereas the penalties by the before-mentioned acts provided, to prevent the hiding and concealing of *sope*, have by experience been found ineffectual, and not sufficient to prevent or restrain the fraudulent hiding and concealing thereof, in regard the duties of one boiling of *sope* so hid and concealed, may and often do amount to fifty pounds or more, whereby some ill-disposed persons have been encouraged and induced to hide and conceal several great quantities of *sope*, to the great diminution of the revenues arising by the duties laid upon *sope*, and to the great discouragement of other fair traders and makers of *sope*, who duly pay the full duties upon *sope*, according to the true intent and meaning of the said several recited acts: for remedy whereof, be it further enacted by the authority aforesaid, That if at any time after the sixteenth day of April in the year of our Lord one thousand seven hundred and sixteen, any maker of *sope* shall fraudulently hide and conceal, or cause to be hid or concealed, any *sope* chargeable by the said several recited acts, or any the materials for making the same, to the intent to deceive his Majesty of the just duties by the said acts granted, that then and in every such case the party or parties offending, shall forfeit the sum of five hundred pounds for every such offence, and also all the *sope* so hid and concealed.

10 Ann. c. 19.
sect. 18.

12 Ann. stat. 2.
c. 9.

After 16 April
1716. conceal-
ing *sope*, &c.
forfeits 500 l.
and the *sope*.

XV. And be it further enacted by the authority aforesaid, That the penalties for hiding and concealing of *sope*, and materials for making of *sope*, by this act imposed, shall and may be sued for, recovered, levied and mitigated by such ways and means and methods, as any penalty or forfeiture imposed by any of the laws of excise may be sued for, recovered, levied and mitigated; and that one moiety of such penalties and forfeitures shall be for the use of his Majesty, his heirs and successors, and

Penalty how
to be sued for,
&c.

the other moiety for the use of the person or persons that shall inform or sue for the same.

Clause for li-
miting a time
for persons
who have an-
nuities for life
or lives, to de-
mand the pay-
ments thereof
at the Exche-
quer.

3 & 4 Ann. c. 2.

3 & 3 Ann. c. 3.

XVI. *And whereas by an act passed in the third year of the reign of her late majesty Queen Anne, intituled, An act for raising monies by sale of several annuities, for carrying on the present war, it was enacted, That it should and might be lawful to and for any person or persons, natives or foreigners, to contribute, advance and pay into the receipt of her then said Majesty's Exchequer for her Majesty's use, at or before the respective days and times in the said act limited in that behalf, any sum or sums of money, not exceeding in the whole the sum of eight hundred seventy-seven thousand nine hundred and thirty pounds nineteen shillings and three pence, for purchasing such several and respective annuities for ninety-nine years as are therein mentioned: and whereas liberty was given by the said act of the third year of her said late Majesty, That any person or persons being at original contributors, or by mesne assignments, or by any other lawful ways and means, entitled to any estate for one, two or three lives in being, of or in any annuity purchased or obtained upon an act of the second year of the reign of her said late Majesty, intituled, An act for granting an aid to her Majesty for carrying on the war, and other her Majesty's occasions, by selling annuities at several rates, and for such respective terms or estates as are therein mentioned, for changing or converting the said estate for one, two or three lives, into a certain term for ninety-nine years, upon and for the considerations therein expressed: and whereas some of the nominees for whose lives some of the said annuities are held, are foreigners, or live in foreign or remote parts of this kingdom, so as that they cannot be found or heard of; and that the parties that are or were entitled to such annuities do not come or send to demand the said annuities, whereby it is become uncertain whether such nominees be living or dead, or were so at the time of purchasing such reversions, whereby the titles of the purchasers of such reversions are become, and will become disputable: for remedy whereof, be it enacted by the authority aforesaid, That in case any of the said annuity or annuities (whereupon the reversion or reversions were or shall be purchased, as aforesaid) have not, or shall not be demanded at the Exchequer for the space of two years next after the same did become, or shall become payable; and in case certificates of the life and lives of any nominee or nominees, upon whose life or lives any annuities do depend, have not been, or shall not be produced to the officers of his Majesty's Exchequer, or sufficient proof made thereof, according to the rules prescribed by former acts, within two years next after the said annuities have or shall from time to time become payable; then and from thenceforth, and from and after the expiration of the said two years, such nominee and nominees, of whose life or lives no such certificate hath been or shall be produced, or proof made, as aforesaid, shall be taken to be dead, and the person or persons that hath purchased, or shall hereafter purchase such reversion or reversions of such annuity or annuities, expectant upon the death of such nominee or nominees, of whose life or lives no such certificate hath or shall*

shall

shall be produced, or proof made, as aforesaid, shall receive the said respective annuity and annuities, from time to time, until such certificates shall be produced, or proof made, and shall not be accountable for such part of the said annuity as he shall then have actually received for default of such certificate or proof; any thing in this, or in any former act or acts of parliament contained to the contrary notwithstanding.

XVII. *And for the more effectual preventing frauds relating to the duty laid upon printing, painting, or staining paper to serve for hangings or other uses:* be it further enacted by the authority aforesaid, That from and after the first day of June one thousand seven hundred and sixteen, before any such paper shall be printed, painted or stained, the officers for the said duties on such printed, painted or stained paper, as aforesaid, shall be permitted to take accounts of the quantities and dimensions of all paper for printing, painting or staining, which at any time or times shall be in the custody or possession of any such printer, painter or stainer, and upon taking such account thereof, shall mark or stamp every sheet and piece thereof with a stamp or seal already provided, or hereafter to be provided, in pursuance of the act for granting of the said duties for the marking or stamping of silks, callicoes, linens or stuffs, printed, painted, stained or died, thereby to denote that such account has been taken of such paper; and in case any officer or officers shall miss any quantity or quantities of such paper whereof he had before taken such accounts, and shall not upon reasonable demand receive satisfaction what is become of the same, then and in such case it shall and may be lawful for such officer to charge such printer, painter or stainer of paper, with the duties of such paper so missing, as if the same were actually printed, painted or stained.

After 1 June, 1716. before paper be painted, officer to take account of the quantities and dimensions, and stamp the same.

10 Ann. c. 19.

Such paper missing, officer to charge it with the duties.

XVIII. And be it further enacted by the authority aforesaid, That no person or persons, who shall print, paint, stain or dye any paper chargeable with the said duty, shall remove, carry or send away, or suffer to be removed, carried or sent away, any paper by him, her or them printed, painted or stained respectively, until such time as the proper officer shall have taken an account of every particular quantity of such paper so to be carried away, and until every particular piece and parcel of such paper shall be duly marked with such stamp or seal, as aforesaid, denoting the charging of the said duty, on pain to forfeit twenty pounds for every such offence; and that all the printed, painted or stained paper, so carried away without being marked with such stamp or seal denoting the charging the said duty, and being found in the possession of any stationer, or other trader or dealer therein, or of any other person or persons for the use of such stationer, trader or dealer for sale, shall and may be seized and recovered, one moiety thereof for the use of his Majesty, his heirs and successors, and the other moiety for the use of the seisor or informer.

Paper removed before stamping.

forfeits 20^l. &c.

XIX. *And whereas several stationers, merchants, and other traders and dealers in paper, have or may have on the first day of June one thousand*

Dealers in painted paper sand

to give in a
particular of
their stock in
hand to r
June 1716.

said seven hundred and sixteen, for sale, either by wholesale or retail, respective stocks or quantities of such printed, painted or stained paper, which have already been duly charged with the said duty, but are not marked with any stamp or seal, denoting the charging thereof: be it therefore further enacted by the authority aforesaid, That all and every merchant, stationer, trader and dealer in such paper, having on the said first day of June one thousand seven hundred and sixteen, in his, her or their custody or possession, or in the custody or possession of any other person or persons, for his, her or their benefit, use or account, any stock, parcel or quantity of paper so printed, painted or stained, being for sale, shall (upon pain of forfeiting for every neglect the sum of thirty pounds) deliver or cause to be delivered, on or before the said first day of June one thousand seven hundred and sixteen, at the office for the said duties, next to the place and places respectively, where such stock shall or may happen to be, a particular in writing signed by themselves or their appointments, of their several stocks before-mentioned, describing the whole quantities and kinds thereof distinctly, to the end and intent that the same may be duly stampd and marked with such stamp or seal, denoting the charging the said duties; and the officers for the said duties are hereby authorized and impowered to enter into any shops, warehouses, or other places whatsoever, belonging to or used by such merchants, stationers, and other traders and dealers in such printed, painted and stained paper, as aforesaid, there to view the same, and to take an account thereof; and upon doing thereof, are hereby impowered and required to mark or stamp the same, with such stamp or seal, denoting the charging the said duties; and all and every such merchants, stationers, and other traders and dealers in such printed, painted or stained paper, shall be obliged by force and virtue of this act, (if thereunto required) to permit and suffer the proper officer and officers for the said duties, to make such entrance and view, as aforesaid, and to take such account and accounts, and so to mark such paper; and if any person or persons shall refuse to permit such officer or officers to enter into their shops, warehouses and other places (being thereunto required) there to view and take such account and accounts, and to mark and stamp such stocks of such printed, painted or stained paper, as aforesaid, or any part thereof, then every such person, for every such refusal, shall forfeit the sum of one hundred pounds.

On penalty of
30 l.

Officers may
enter into any
shop, &c. to
view,

and to stamp
the same.

Refusing en-
trance forfeits
100 l.

Penalties how
to be sued for.

XX. And be it further enacted by the authority aforesaid, That all fines, penalties and forfeitures by this act imposed, relating to the said duties on paper, shall be sued for, levied, and recovered, or mitigated, by such ways, means and methods, as any fine, penalty or forfeiture, is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or the court of session, court of justiciary, or court of Exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty and forfeiture, shall be to his Majesty,

Majesty, his heirs and successors, and the other moiety to him, her or them, that shall discover, inform or sue for the same.

XXI. *And whereas several persons do travel in several parts of this kingdom, and print, paint, stain or dye silks, callicoes, linens and stuffs, but remove from the places where they so print, paint, stain or dye the same, to parts remote, without paying any duty for the same, by means whereof the said duties are lost and cannot be recovered: for remedy whereof, be it further enacted by the authority aforesaid, That from and after the first day of June one thousand seven hundred and sixteen, where any person or persons shall take upon him, her or them, to print, paint, stain, or dye any silks, callicoes, linens or stuffs, at any other place than the place of his, her, or their usual residence, or exercise of his, her or their trade, all such persons shall, before he, she or they print, paint, stain or dye any such silks, callicoes, linens or stuffs, make a particular entry of all such silks, callicoes, linens, or stuffs so by him, her or them intended to be printed, painted, stained or dyed, with the officer for the said duties of the division or place where he, she or they shall so intend to print, paint, stain or dye the same, and pay down to the said officer all the duties charged, or which would be due for such goods so intended to be printed, painted, stained or dyed, upon printing, painting, staining or dyeing the same, before he, she or they proceed to print, paint, stain or dye such goods, or any part thereof; and if such person or persons shall print, paint, stain or dye any such silks, callicoes, linens or stuffs, without making such entry, and paying down the duties thereof, as aforesaid, the person or persons offending therein shall for every such offence forfeit the sum of fifty pounds, to be recovered and levied as aforesaid; and moreover all such silks, callicoes, linens and stuffs so printed, painted, stained or dyed, without such entry and payment of duty, as aforesaid, shall be, and may be seized immediately by such officer; one moiety of such penalties and forfeitures to be paid to his Majesty, his heirs and successors, and the other moiety to the person or persons that shall sue or inform for the same.*

Persons printing silks, &c. at any other place than the place of their usual residence, to make a particular entry of the silks, &c. before printing.

and pay down the duties.

On penalty of 50^l.

C A P. XXXVII.

An act to enable his Majesty to grant the regalities and lands now remaining in the crown in North Wales and South Wales, and county of Chester, to his royal highness the prince of Wales, in such manner and form as the principality of Wales and earldom of Chester have formerly been granted to the princes of Wales; and also to enable his said royal highness to make leases of lands, parcel of his royal highness's duchy of Cornwall, or annexed to the same.

It shall be lawful for his Majesty to grant to the prince, all the honours, castles, &c. belonging to the crown, in Wales, Monmouth, and the county palatine of Chester. His Majesty may grant to the said prince the like jurisdiction, &c. as King James I. granted to Prince Henry, &c. The prince may make leases, &c. of the premises, for 31 years or three lives. All leases and grants made by his royal highness, of any manors, &c. in the duchy of Cornwall shall be good. Provided, that such leases, &c. be made only for 31 years or three lives, and not disposable of waste, and that the usual rent be reserved, and where there has been no such rent, the sixth part of the value shall be reserved. E X P.

C A P.

CAP. XXXVIII.

An act for enlarging the time of continuance of parliaments, appointed by an act made in the sixth year of the reign of King William and Queen Mary, intituled, An act for the frequent meeting and calling of parliaments.

S W. & M. c. 2.

WHEREAS in and by act of parliament made in the sixth year of the reign of their late Majesties King William and Queen Mary (of ever blessed memory) intituled, An act for the frequent meeting and calling of parliaments: it was, among other things enacted, That from thenceforth no parliament whatsoever, that should at any time then after be called, assembled or held, should have any continuance longer than for three years only at the farthest, to be accounted from the day on which by the writ of summons the said parliament should be appointed to meet: and whereas it has been found by experience, that the said clause hath proved very grievous and burthensome, by occasioning much greater and more continued expences in order to elections of members to serve in parliaments, and more violent and lasting heats and animosities among the subjects of this realm, than were ever known before the said clause was enacted; and the said provision, if it should continue, may probably at this juncture, when a restless and popish faction are designing and endeavouring to renew the rebellion within this kingdom, and an invasion from abroad, be destructive to the peace and security of the government: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That this present parliament, and all parliaments that shall at any time hereafter be called, assembled or held, shall and may respectively have continuance for seven years, and no longer, to be accounted from the day on which by the writ of summons this present parliament hath been, or any future parliament shall be, appointed to meet, unless this present, or any such parliament hereafter to be summoned, shall be sooner dissolved by his Majesty, his heirs or successors.

Parliaments shall have continuance for seven years, unless sooner dissolved by the King.

CAP. XXXIX.

An act to indemnify such persons who have acted in defence of his Majesty's person and government, and for the preservation of the publick peace of this kingdom, in and about the time of the late unnatural rebellion, from vexatious suits and prosecutions.

WHEREAS in the year of our Lord one thousand seven hundred and fifteen, as well in the time of, as before the unnatural rebellion, which began in or about the months of September or October in the same year, divers lord lieutenants, deputy lieutenants, justices of the peace, mayors, bailiffs of corporations, constables, and other officers and persons well-affected to his Majesty and his government, in order to preserve our present happy establishment, and the peace

peace of this kingdom, and to suppress and put an end to the said rebellion, apprehended and put into custody, and imprisoned several criminals, and several persons, who they suspected might disturb the publick peace, or foment or promote riots, tumults, rebellions, or evil designs against the government; and also seized and used several horses, arms, and other things, and also pressed divers horses, carts and carriages, for the service of the publick; and did for the purposes aforesaid enter into the houses and possessions of several persons; and did quarter and cause to be quartered divers soldiers and others in the houses of divers persons; and did divers acts which could not be justified by the strict forms of law, and yet were necessary, and so much for the service of the publick, that they ought to be justified by act of parliament, and the persons by whom they were transacted ought to be indemnified: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all personal actions and suits, and all molestations and prosecutions whatsoever, and judgments thereupon (if any be) for or by reason of the premises, or of any other matter or thing advised, commanded, appointed, or done in the said year of our Lord, one thousand seven hundred and fifteen, in order to suppress the said unnatural rebellion, or for the preservation of the publick peace, or for the service or safety of the government, be, are, and shall be discharged and made void by virtue of this act: and if any action or suit heroby discharged, or intended to be discharged, shall be commenced or prosecuted, every person so sued may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass against him, the said defendant shall recover his double costs, for which he shall have the like remedy as in case where costs by law are given to defendants.

All personal actions, &c. for any thing done in order to suppress the rebellion in 1715. shall be discharged.

And if commenced against the person sued may plead the general issue, &c.

Double costs.

C A P. XL.

An act for the free importation of cochineal, during the time therein limited. E X P.

For nine months after March 31, 1716. Cochineal may be imported in any vessel and from any port.

C A P. XLI.

An act for giving liberty to persons who have served their apprenticeships to any part of the woollen manufacture in Colchester, to work at their said trades, and at the making bays within the said town.

Persons having served apprenticeships in Colchester, in any branch of the woollen manufacture, may follow the trade of baymaking in the said town, saving to the governors of the Dutch bay-hall there, their rights, &c. Persons having used the trade for seven years may continue to use it.

C A P. XLII.

An act for the attainder of George earl of Marischall, William earl of Seaforth, James earl of Southesk, James earl of Panmuir, and others, of high treason, unless they shall render themselves to justice by a day certain therein mentioned.

C A P.

CAP. XLIII.

An act to continue duties for encouraging the coinage of money; and to charge the duties on senna as a medicinal drug; and for the appropriating several supplies granted to his Majesty.

MAY it please your most excellent Majesty, Whereas great benefit and advantage did accrue to England by one act of parliament passed in the eighteenth year of the reign of his majesty King Charles the Second, intituled, An act for encouraging of coinage, and continued by another act made in the twenty fifth year of the reign of his said majesty King Charles, intituled, An act for continuing a former act concerning coinage; both which said acts were revived by an act made in the first year of the reign of his majesty King James the Second, and were continued by an act made in the fourth year of King William and Queen Mary, of blessed memory, and were further continued by an act made in the twelfth year of the reign of the said late King William, and were further continued by an act made in the seventh year of the reign of her late majesty Queen Anne, of blessed memory, to be in force for seven years from the first day of March one thousand seven hundred and eight, and until the end of the first session of parliament then next following, and no longer; so that unless the said acts be revived and continued, the encouragement given thereby will cease, and this kingdom be deprived for the future of so great a good as it hath for many years last past enjoyed: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do give and grant unto your Majesty the rates, duties, and impositions herein after mentioned, for and during the term and time herein after expressed, and do humbly pray that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in the present parliament assembled, and by the authority of the same, That such and the like rates, duties, and impositions, as by the said act of parliament of the eighteenth year of the reign of King Charles the Second were granted, and by the said subsequent acts were continued, for and upon the importation of wines, vinegar, cyder, beer, brandy, and strong waters imported, during the respective terms therein mentioned, shall be further continued, and be paid and payable to his Majesty, his heirs and successors, for and upon all wines, vinegar, cyder, beer, brandy, and strong waters, which shall be imported or brought into Great Britain within or during the space of seven years, to commence from the first day of March one thousand seven hundred and fifteen, and until the end of the first session of parliament then next following, and no longer; and that all the said former acts, and all other acts of parliament concerning coinage, and every of them, and every clause, article, and sentence in them or any of them contained, now being in force, shall be and are by virtue of this act revived and continued, and shall be in force, and be

duly

Coinage duties continued for 7 years.

18 Car. 2. c. 5.
Continued from
March 1730.
for seven years,
by 4 Geo. 1.
c. 12. and farther
by 19 Geo.
2. c. 14.

duly put in execution, for and during all such term and time as are before-mentioned, as fully and effectually as if the same were particularly repeated and re-enacted in the body of this present act.

II. *And to the end the importers of gold and silver into the mints of England and Scotland respectively, may not be discouraged by any deficiency of the revenue by this act settled for defraying the coinage thereof:* be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the lord high treasurer, or any three or more of the commissioners of the treasury for the time being, out of the monies arising by this act, or out of any other the publick supplies granted or to be granted by parliament, to cause so much money to be applied, as shall be necessary for defraying the expences of the said mints of England and Scotland respectively, by way of imprest, and upon account, for that service, so as the same, together with the coinage-duties arising by this act, do not exceed, in any one year, the sum of fifteen thousand pounds, and so as the said monies be issued out of the Exchequer of Great Britain to the master of the mint in England, and the general of the mint in Scotland respectively, for the said purposes.

Deficiency in the coinage-duty, how to be supplied.

III. *And whereas in the book of rates annexed to an act made in the twelfth year of the reign of King Charles the Second, intituled, A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandize exported and imported, a rate is fixed upon senna under the title of drugs, in order to pay the duty charged thereon by the said act; which act has been continued by several subsequent acts now in force: and whereas the said duty is by a subsequent act increased, and further duties are by several other acts laid upon the importation of all drugs, all which acts are still in force: and whereas by several of the said last mentioned acts, drugs used in dying are exempted from payment of the respective duties thereby granted; and for the better adjusting the duties upon goods used in dying, by an act of the third year of the reign of her late Majesty, for continuing duties on low wines and other things therein mentioned; it is declared what goods are meant to be used in dying, amongst which senna is contained; nevertheless it being notorious that senna is not or ever was used in the dying trade, but was inserted in the said last mentioned act, by mistake, to the great loss of his Majesty's revenue in the duties intended to be paid for the same: for prevention thereof for the future, be it enacted and declared by the authority aforesaid, That all senna imported into Great Britain, after the ninth day of May one thousand seven hundred and sixteen, shall be subject and liable to the payment of the duties charged by the said act of tonnage and poundage, and by the several acts for increasing and continuing the same, and to all and every other the respective duties laid, or intended to be laid by other respective acts, as if the said exemptions in the several acts for goods or drugs used in dying had not been therein inserted; any law or statute to the contrary notwithstanding.*

12 Car. 2. c. 4.

3 & 4 Ann.
c. 4. sect. 2.

After 9 May 1716. senna to pay as a medicinal drug. Senna imported by Mr. Vernon is excepted by 6 Geo. 1. c. 11. s. 53.

Stock in hand
to pay, it ex-
ceeding 20
pounds
weight.

IV. *And whereas several merchants and other traders and dealers in senna, have, or may have, on the ninth day of May one thousand seven hundred and sixteen, several stocks or quantities of senna: it is hereby further enacted, That all merchants, druggsters, or other persons who do sell or retail senna, having in his, her, or their custody or possession, or in the custody or possession of any other person or persons in trust for him, her, or them, or for his, her, or their wife, benefit or account, any stock or quantity of senna (such stock or quantity respectively exceeding twenty pounds weight) within the realm of Great Britain, doing for sale, shall yield and pay unto his Majesty for every pound of such senna, so much as will make up the duties thereof equal to the duties intended to be payable for senna by virtue of this act hereafter to be imported; which said duties shall be paid within three months after the said ninth day of May one thousand seven hundred and sixteen.*

Druggsters, &c.
to make a just
entry of their
senna by 25
June 1716 &c.

V. *And to the end the said stocks of senna may be known, and the duties thereupon duly ascertained and secured: it is hereby enacted, That all and every the said merchants, druggsters, and other persons selling or retailing senna, shall, on or before the twenty fifth day of June one thousand seven hundred and sixteen, make a just entry thereof at the custom-house nearest the place where such senna doth remain, as aforesaid, and permit the proper officers of the customs thereunto to be appointed by the commissioners of the customs in England and Scotland respectively, at any time before the twenty fifth day of June one thousand seven hundred and sixteen, to enter into his, her, or their warehouses or other places where such stocks of senna, exceeding the quantity of twenty pounds, as aforesaid, are to be found, and so view weigh, and take account of the same; and if any such merchant, druggster or other person selling or retailing senna, shall neglect to make such entry at the custom-house within the time aforesaid, or shall refuse to permit such officer or officers to enter into his, her or their warehouses, or other places, (if thereunto required) there to view the said stock, as aforesaid, or any part thereof, or shall hide, remove, or convey away the said senna with intent to defraud his Majesty, or shall not pay his Majesty's dues for the same, according to the true intent and meaning of this act, then for every or any such offence, the merchant, druggster, or other person selling or retailing senna respectively, so offending, shall forfeit and lose the sum of forty pounds, to be recovered and distributed in like manner as any of the penalties and forfeitures for the non-payment of the duties due on the importation of senna are to be recovered and distributed by any act or acts of parliament now in force relating thereunto: provided, That if such persons so chargeable for any stocks of senna, shall pay his Majesty's duties due for the same, by virtue of this act, before the end of three months, then he, she, or they shall be allowed for such prompt payment after the rate of ten pounds per centum per annum for every sum so advanced; and in case of exportation thereof, or any part thereof,*

Penalty 40 l.

10 l. per cent
for prompt
payment.
On exporta-
tion duty dis-
charged.
The twelve
months ex-

thereof, within twelve months after entry made, as aforesaid, *larged to three years by 7* the said duties payable by this act for such stocks of senna shall *Geo. 1. stat. 1. c. 21. l. 10.* be discharged or repaid.

VI. And be it enacted by the authority aforesaid, That all the monies lent, and to be lent to his Majesty upon one act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land-tax in Great Britain, for the service of the year one thousand seven hundred and sixteen*, and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans, made or to be made on that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent, and to be lent to his Majesty upon the duties on malt, mum, cyder and perry, charged and continued by another act of this session of parliament, for the service of the year one thousand seven hundred and sixteen, and so much money of the said duties on malt, mum, cyder and perry thereby granted or continued as shall arise or remain (if any such be) after all the loans made or to be made on that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said duties thereby charged, shall be satisfied, or monies sufficient shall be reserved to discharge the same; shall be appropriated and applied, and are hereby appropriated for or towards the several uses, intents and purposes herein expressed, subject nevertheless to such restrictions as are herein after prescribed: that is to say, it is hereby enacted and declared, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding in the whole the sum of nine hundred eighty four thousand four hundred seventy two pounds nineteen shillings and six pence, for the naval services following, that is to say, for defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea-officers, and for victual, wages, wear and tear of the navy, and victualling thereof, performed and to be performed, and for sea-service in the office of ordnance performed and to be performed, and for extraordinary repairs of the navy, and other services of the navy and transports performed and to be performed; and any sum, not exceeding one hundred twenty-two thousand four hundred ninety six pounds eighteen shillings and two pence half-penny, for the charge of the office of ordnance for land services performed and to be performed, including half-pays in that office; and any sum or sums of money, not exceeding in the whole the sum of one million five hundred twenty thousand eighty two pounds nineteen shillings and eight pence half-penny, for maintaining his Majesty's land-forces, and other services herein after expressed, that is to say, for maintaining guards, garrisons, and other his Majesty's land-forces in *Great Britain, Jersey, and Guernsey*, and twenty eight companies of *dragoons*, and three independent companies in *North Britain*, for the

Clause of appropriation of the monies of this session.
1 Geo. 1. stat. 2. c. 31.

1 Geo. 1. stat. 2. c. 36.

Naval services.

Ordnance.

Land forces.

the year one thousand seven hundred and sixteen; and for maintaining his Majesty's forces in his Majesty's plantations in *America*, for the year one thousand seven hundred and sixteen; and for maintaining his Majesty's forces and garrison in *Minorca*, for the year one thousand seven hundred and sixteen; and for maintaining his Majesty's forces and garrison in *Gibraltar*, for the year one thousand seven hundred and sixteen; and for the pay of six thousand men taken into his Majesty's service from the States-general of the united provinces, and for the charge of the general officers belonging to the same for one year; and to make good several expences for the service of his Majesty's land forces in the year one thousand seven hundred and fifteen, over and above the sum of one hundred thirty two thousand five hundred sixty three pounds nine shillings and six pence, saved by the pay of thirteen regiments of dragoons, eight regiments of foot, and four companies of the *Coldstream* regiment, from the one and twentieth of *July* one thousand seven hundred and fifteen, to the twenty fourth of *December* following; and for several extraordinary expences for the service of his Majesty's land forces, for the year one thousand seven hundred and sixteen, and to make up the half-pay to the officers of the land forces and marines disbanded (being his Majesty's natural born subjects, or naturalized) full pay for one year, from the twenty-sixth day of *July* one thousand seven hundred and fifteen, to the twenty fifth day of *July* one thousand seven hundred and sixteen; and for half-pay for the year one thousand seven hundred and sixteen, upon account, to the officers of the land forces and marines disbanded, being his Majesty's natural-born subjects, or naturalized; and to defray several extraordinary charges relating to the demolition, and other charges at *Dunkirk*, and for answering other extraordinary services or augmentations relating to his Majesty's land forces; and any sum not exceeding fifty thousand eight hundred eighty six pounds eleven shillings and ten pence half-penny to make good the deficiency of the grants for the year one thousand seven hundred and fifteen; and any sum not exceeding three thousand seven hundred and two pounds eight shillings and seven pence, to discharge one year's interest, after the rate of six pounds *per centum per annum*, of the sum of sixty one thousand seven hundred and seven pounds three shillings and two pence, or thereabouts, remaining due and unsatisfied, of the sum not exceeding seven hundred thousand pounds, which was borrowed on an act made in the third year of the reign of her late majesty *Queen Anne*, of blessed memory, for laying duties upon low wines, and other things therein mentioned, and towards the repayment whereof another act passed in the sixth year of her said late Majesty's reign, charging coffee and other merchandizes for the term of four years, which expired on or about the twenty third day of *June* one thousand seven hundred and fourteen; and any sum not exceeding eighteen thousand eight hundred fifty three pounds three shillings and six pence, to discharge one year's interest, after the rate of six pounds *per centum*

Deficiencies of
grants in 1715.
supply'd.

3 & 4 Ann. c. 4.

6 Ann. c. 25.

entum per annum, of the sum of three hundred and fourteen thousand two hundred and nineteen pounds eleven shillings and two pence farthing, or thereabouts, remaining due and unsatisfied of the principal sum, not exceeding five hundred thousand pounds, which was borrowed on the act of parliament of the eighth year of the reign of her late majesty Queen Anne, of blessed memory, for laying duties upon candles, and other duties, for five years, which expired on the first day of May one thousand seven hundred and fifteen; and any sum not exceeding forty two thousand six hundred sixty and five pounds thirteen shillings and six pence, for supplying the deficiency of the fund of one hundred sixty eight thousand and three pounds per annum, to make good the payments of the ten pound lottery of one thousand seven hundred and twelve, for the two several years, ended at Michaelmas one thousand seven hundred and fourteen; and that the aids or supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever, other than towards the uses and purposes before-mentioned.

VII. Provided always, and it is hereby enacted and declared; That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payments, which by and in pursuance of an act made in the first year of his Majesty's reign, intituled, *An act for enlarging the capital stock and yearly fund of the South Sea company, and for supplying hereby eight hundred twenty two thousand and thirty two pounds four shillings and eight pence to publick uses; and for raising one hundred sixty nine thousand pounds for the like uses, by sale of annuities, upon divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty, are or shall be required and authorized to be made by the treasurer or paymaster of the navy or the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery, or to their treasurer, for their use; any thing herein contained to the contrary notwithstanding.*

VIII. Provided also, That such sums, as by any other act of this session of parliament shall be payable to any commissioners or taking, examining and stating the debts due to the army, or their salaries, or for their clerks, or other incident charges, shall and may be paid out of the aids or supplies aforesaid, or any of them; any thing herein contained to the contrary notwithstanding.

Deficiencies of the 10 l. lottery 1712. made good.

Appropriations not to obstruct making good deficiencies to the South Sea company, by virtue of the act 1 Geo. 1. Stat. 2. C. 21.

Or the salaries to the commissioners of accounts, &c.

Continued by 9 Geo. 1. C. 19.

CAP. XLIV.

Continued by
9 Geo. 2. c. 32.

An act for the continuing the duty of two pennies Scots, or one sixth of a penny Sterling, on every pint of ale and beer that shall be vendid or sold within the city of Glasgow and privileges thereof, for the benefit of the said city.

WHEREAS the preserving and encouraging the cities and boroughs eminent by their situation, and usefulness in trade or manufactures, has been at all times, and in all kingdoms and states the care of the legislators, more especially in Great Britain: and whereas the city of Glasgow, being a place distinguished for these advantages, but yet more considerable for their loyalty and zeal for the reformed religion, constitution and liberty of the people; whereof on all proper occasions, that city has given undeniable proofs, more particularly by furnishing, at the charge of the inhabitants, considerable numbers of men well armed and disciplined, not only for defence of that city but even for the support and defence of the government in other places since the revolution, on divers very remarkable occasions, and lately in a most cordial and cheerful manner, in opposition to the most unjustifiable rebellion, begun and carried on by a popish pretender to the crown and dominions of his most excellent Majesty: and whereas the yearly revenues, or common good of the said city, are scarce sufficient for the annual necessary charge of the government of so great, populous, and useful a place, much less for payment of the debts of that corporation, which have lately been greatly increased by very considerable sums laid out for furnishing a battalion of foot to serve at Sterling, and for putting themselves into a posture of defence against the above-mentioned rebels and traitors: and whereas their late majesties King William and Queen Mary, and her late majesty Queen Anne, and the state of the parliament of Scotland, did, in consideration of their signal loyalty at the revolution, and during the reigns of the said prince, and towards enabling them to pay their debts, beautify their town, and improve trade there, by two acts severally passed in the parliaments held in Scotland in the years one thousand six hundred and ninety three, and one thousand seven hundred and five, grant and continue to the said city the duties after-mentioned, viz. an imposition of two pennies Scots, over and above the duties then payable to the crown, upon each pint of ale and beer to be brewed, inbrought, vendid, tapped, and sold, within the said city and other places therein mentioned, to continue for the space of sixteen years, from and after the first day of November, one thousand seven hundred and six, for the uses, and under the burdens and regulations therein also expressed; which number of years is now near expired, though the causes of the said grants remain, and are rather greater: to the end therefore that the said city of Glasgow may be enabled to pursue the ends and uses expressed in this and the former grants above-mentioned, and that the said city and others, seeing that just encouragement is provided as a reward of duty and loyalty, while the merit of laudable service is fresh in memory, may be excited by their example to adhere stedfastly and cheerfully to his Majesty's royal

royal person, and to the succession as by law established: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That such and the like rates, duties, and impositions, as by the said act passed in the parliament of *Scotland*, upon the fifteenth day of *June*, one thousand six hundred and ninety three, and continued by another act of the parliament held in *Scotland*, upon the twenty first of *September*, one thousand seven hundred and five, upon each *Scots* pint of ale and beer, to be either brewed or brought in, vended, tapped, and sold within the said city, liberties, and suburbs thereof (except ale and beer that shall be brewed and vended in the *Gorbals*, or any other lands within the said city's privileges, that are taxed to the publick within the shire) shall be further continued, and be paid and payable to the magistrates and town council of the said city of *Glasgow*, and their successors in office, for their use and behoof; and that from and after the expiration of the years contained in the above-mentioned act, passed in the parliament of *Scotland*, upon the said twenty first day of *September*, one thousand seven hundred and five, until the first day of *November*, which shall be in the year of our Lord one thousand seven hundred and thirty eight, the said two former acts severally passed in the parliaments in *Scotland*, in the years one thousand six hundred and ninety three, and one thousand seven hundred and five, and every clause, article and sentence in them, or any of them, contained, now being in force, shall be and are, by virtue of this act, revived and continued, and shall be in force, and be duly put in execution, for and during all such term and time, as is before-mentioned, as fully and effectually as if the same were particularly repeated and re-enacted in the body of this present act, with the alterations following only, *viz.* That whereas the late deceased *James* duke of *Hamilton*, and also *John Walkingshaw* of *Barrowfield*, were appointed overseers of the said duties granted, and managers thereof: be it enacted by the authority aforesaid, That in the place of the said *James* duke of *Hamilton*, and *John Walkingshaw* of *Barrowfield*, *John* duke of *Argyle*, Sir *James Campbell* of *Ardrinlas*, *Daniel Campbell* of *Shawfield*, and *Henry Cunningham* of *Boquhan*, esqrs; shall be, and they are hereby appointed overseers.

The rates, &c. imposed on beer and ale sold in Glasgow, by the acts of June 15. 1693, and Sept. 21. 1705. continued till Nov. 1. 1738.

Overseers appointed.

II. Provided also, and it is further enacted by the authority aforesaid, That if it shall happen so many of the overseers shall die, as there shall not remain a *quorum*, yet this and the former acts hereby continued, as to all other clauses, articles and sentences, shall be and continue in full force.

This and the former acts to continue in force, tho' no quorum of the overseers remain alive.

III. And lastly, Whereas the building of a key upon the river of *Clyde*, at the said city of *Glasgow*, from the place commonly called the *Broomielaw*, to a place called *Ducket Green*, would greatly improve the navigation of the said river of *Clyde*, and be a conveniency in loading and unloading of goods: be it therefore also enacted by the authority aforesaid, That out of the

monies

A key to be
built on the
river Clyde.

monies arising by the said impositions, the magistrates of the said city of *Glasgow*, and their successors in office, shall be, and they are hereby impowered and required to advance such sum or sums as shall be judged necessary by the merchant and trades-houses of the said city of *Glasgow* for building the said key, from the said place commonly called the *Broomielaw* to the said place called *Ducket Green*.

C A P. XLV.

An act for holding the assise for the county of Cornwall at a convenient place within the said county.

The assises for
Cornwall shall
not be con-
fined to the
town of
Launceston.

WHEREAS the justices of assise, of *Nisi prius*, *Oyer and Terminer*, and general goal-delivery for the county of *Cornwall*, have, for many years past, constantly held and kept the assises for the said county at *Launceston* in the said county; which constant holding has been oftentimes found inconvenient: for remedy whereof, be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and the commons, in this present parliament assembled, and by authority of the same, That from and after the twentieth day of *May* in the year of our Lord one thousand seven hundred and sixteen, the holding of the assises and general goal-delivery for the said county shall not be confined to the said town of *Launceston*, but that it shall and may be lawful to and for the lord high chancellor, or lord keeper of the great seal of *Great Britain*, for the time being, with the advice of the justices of assise, from time to time, to appoint a convenient place within the said county of *Cornwall* for the holding and executing all and every commission and commissions of assise, and *Nisi prius*, *Oyer and Terminer*, and general gaol-delivery for the said county, in such manner as he is by law authorized to do for any other county within that part of the kingdom of *Great Britain* called *England*; any law, statute, custom or other matter or thing to the contrary in any wise notwithstanding.

C A P. XLVI.

An act to prevent the mischiefs by manufaturing leaves or other things to resemble tobacco, and the abuses in making and mixing of snuff.

WHEREAS tobacco is one of the chief products of *Virginia* and *Maryland*, upon which their welfare and subsistence doth much depend; and by the importation thereof the navigation and trade of this kingdom, and the publick revenues of the same, are very much increased: and whereas it is found by experience, that of late several evil persons have cut, cured, manufatured and sold walnut-tree leaves, hop leaves, sycomore leaves, or other leaves, herbs, plants, or materials, resembling tobacco of the growth or product of the British plantations, to the prejudice of his Majesty's plantations in *America*, and of the navigation and trade of this kingdom, and of the publick revenues arising upon tobacco: for remedy whereof for the future, be it enacted

enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all and every person and persons whatsoever, who at any time or times after the twentieth day of *June* in the year of our Lord one thousand seven hundred and sixteen shall cut, or cause or procure to be cut, any walnut-tree leaves, hop leaves, sycomore leaves, or any other leaves, herbs, plants or materials whatsoever, (not being tobacco leaves or plants) into the form or in imitation of any the usual sizes or cuts which tobacco has been or shall be cut into, for sale, or shall colour or cure, or cause or procure to be coloured or cured any such leaves, herbs, plants or materials, to make the same resemble tobacco, for sale, or shall sell, or cause or procure to be sold, or agree or offer to sell knowingly, any such leaves, herbs, plants or materials, mixed or unmixed with tobacco, as if the same were tobacco, shall, for every pound weight of such leaves, herbs, plants or materials so cut, coloured, cured, sold or agreed for, or knowingly offered to sale, and for every pound weight of such mixture as aforesaid, forfeit and lose the sum of five shillings, and after that rate for a greater or lesser quantity; that is to say, one moiety or half part thereof to the use of his Majesty, his heirs and successors, (he or they bearing the charge of prosecution out of the moiety so accruing to the crown, and not otherwise) and the other moiety or half part thereof to the use of such person or persons as will inform or sue for the same, to be recovered (with full costs of suit) by action of debt, bill, plaint or information in any his Majesty's courts of record at *Westminster*, or in the Exchequer of *Scotland*, wherein no essoin, protection, wager of law, or more than one imparlance shall be allowed.

After June 20th 1716, walnut-tree leaves, &c. shall not be cut with tobacco.

Penalty of 5 s. for every pound offered to sale, to King and prosecutor.

II. And be it enacted by the authority aforesaid, That all and every person and persons whatsoever, who at any time or times after the said twentieth day of *June* in the year of our Lord one thousand seven hundred and sixteen shall export or cause to be exported, or shall lade or put on board, or cause or procure to be laden or put on board for exportation, any such leaves, herbs, plants or materials, or such mixture as aforesaid, or endeavour to obtain a drawback for the same, as if the same were tobacco which had paid or secured his Majesty's duties thereupon, shall, for every such offence, forfeit and lose the sum of five shillings for every pound weight, and proportionably for a greater or lesser quantity, over and above all other penalties which may be inflicted for such offence by any law now in force, to be recovered and distributed in such manner as aforesaid.

Like penalty for exportation.

III. And be it also enacted by the authority aforesaid, That all the leaves, herbs, plants and materials so cut, coloured, cured or manufactured, sold, contracted for or knowingly offered to sale as aforesaid, and all such mixtures as aforesaid, and all engines, utensils and tools made use of in the cutting, colouring,

Such leaves, &c. may be searched for and seized.

ing, curing or manufacturing the same, or prepared for such use, shall and may be searched for and seized by any officer of the customs, or by any person or persons thereunto specially authorized by writing under the hands and seals of the commissioners of the treasury, or any three or more of them, or of the lord treasurer for the time being, or of the commissioners of the customs in *England* or *Scotland* respectively, or any three or more of them for the time being.

Search to be made at reasonable hours, and not without warrant from two justices.

The leaves, &c. seized to be brought to the custom-house, or secured by order of the justices.

The cause of seizure to be determined by quarter-sessions; and leaves, &c. to be burnt.

Punishment of servants, &c. employed in cutting or selling such leaves.

Persons sued may plead the general issue, and shall recover treble costs.

IV. Provided always, and it is hereby enacted, That no house or warehouse whatsoever shall be opened to search for or seize such leaves, herbs, plants, materials or mixtures, or such engines, utensils or tools, but at seasonable hours, and not without a special warrant first had and obtained from two or more justices of the peace of the county or place where such search is to be made; and that the leaves, herbs, plants and materials, and the said mixtures, engines, utensils and tools, which shall, at time or times, be found and seized within the limits of any port, or within six miles of the same, shall be brought to the next custom-house warehouse; and if found and seized at any greater distance from any port, shall be secured by order of any two justices of peace of the county or place where they shall be found, at the King's charge, till the cause of such seizure shall be determined by the justices of the peace in their quarter-sessions; and that the cause of every such seizure shall be heard and determined at the next quarter-sessions, or (at farthest) at the second quarter-sessions after such seizure made; and all such leaves, herbs, plants, materials, mixtures, engines, utensils and tools, (after condemnation or recovery by judgment of such sessions) shall be openly burnt or destroyed by order of the same at his Majesty's charge.

V. And it is hereby further enacted, That all servants and labourers which shall be employed in the cutting, colouring, curing or manufacturing any such leaves, herbs, plants or materials, to resemble tobacco, or in the making any such mixture as aforesaid, or in knowingly vending the same, and shall be convicted thereof by the oath of any one or more credible persons, before any two justices of the peace of the county or place where the offence shall be committed, shall or may, by order of such justices, be committed to the common gaol or house of correction, there to remain and be kept to hard labour for any time not exceeding six months, without bail or mainprize.

VI. And be it likewise enacted by the authority aforesaid, That if any person or persons shall be sued or prosecuted for what he or they shall do in pursuance or execution of this act, such person or persons may plead the general issue (not guilty) and after issue joined may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall be nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass against him, the defendant shall recover treble costs, for which he shall have the like remedy as in cases where costs by law are given to defendants,

VII. And

VII. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time after the said twentieth day of *June* in the year of our Lord one thousand seven hundred and sixteen, make, mix or colour, or cause to be made, mixed or coloured, any sort of snuff with any sort of oakers, umber or any other kind of colouring, except with water tinged with the colouring commonly called *Venetian Red* only; or shall mix or cause to be mixed with any sort of snuff, any fustick or yellow ebony, touchwood or any other sort of wood, or any dirt, or dust sifted from tobacco; or shall knowingly sell, or expose to sale, any snuff so made, mixed or coloured as aforesaid, every such person so offending shall, for every pound-weight of snuff so made, mixed or coloured, forfeit the said snuff, and likewise the sum of three pounds, and proportionably for any greater or lesser quantity, to be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in his Majesty's court of Exchequer in *Scotland*, wherein no essoin, privilege, protection or wager of law shall be allowed, nor any more than one imprisonment; one moiety of which forfeitures shall be to the use of his Majesty, his heirs and successors, and the other moiety to the use of such person or persons who shall seize, inform, or sue for the same.

Forfeits the snuff, and 3l. for every pound-weight. By 5 Geo. 1. c. 11. sect. 22. this act is extended to other abuses relating to snuff. How to be re. covered and disposed.

C A P. XLVII.

An act for the more effectual and exemplary punishment of such persons as shall seduce soldiers to desert, or who, being papists, shall enlist themselves in his Majesty's service in Great Britain or Ireland, or in the islands of Jersey or Guernsey.

WHEREAS a pernicious and dangerous practice has been industriously carried on in these kingdoms of Great Britain and Ireland, by papists and other evil-disposed persons, disaffected to his Majesty's title and government, under false and groundless pretences, to delude his good subjects, who had engaged themselves as soldiers in the service of his Majesty and their country, and to prevail with them by corrupt and direct means to desert the same, oftentimes in order to procure their assistance for a popish pretender, the avowed enemy of the protestant religion, and the laws and liberties of these kingdoms; for which wicked purposes the said papists and other evil-disposed persons have with great diligence frequented the publick-houses, and other places where the said soldiers used to resort, or are quartered, and by entertainments, seditious speeches and vain promises, have often seduced his Majesty's said subjects from their duty and allegiance; for remedy whereof for the future, and for the more effectual and exemplary punishment of all offenders in that behalf, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That if any person or persons whatsoever (other

After June 1 1716. Persons perfwading, &c. soldiers to desert shall forfeit 40l.

than such as are or shall be enlisted as soldiers, against whom sufficient remedy is already provided by law) shall, from the first day of *June* in the year of our Lord one thousand seven hundred and sixteen, in *Great Britain* or *Ireland*, or the isles of *Jersey* or *Guernsey*, by words or other means whatsoever, directly or indirectly, persuade or procure any soldier or soldiers in the service of his Majesty, his heirs or successors, to desert or leave such service, or shall go about and endeavour in manner aforesaid, to persuade, prevail on or procure such soldier or soldiers to desert or leave such service as aforesaid, every such person or persons so offending as aforesaid, and being thereof lawfully convicted, shall, for every such offence, forfeit to his Majesty, his heirs or successors, or to any other person or persons who shall sue for the same, the sum of forty pounds, to be recovered by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, or wager of law shall be allowed; and if it shall happen that any such offender, so convicted as aforesaid, hath not any goods and chattels, lands or tenements, to the value of forty pounds, to pay and satisfy the same, or that from the circumstances and hainousness of the crime it shall be thought proper and convenient, the court, before which the said conviction shall be made, as aforesaid, shall award the said offender to prison, there to remain for any time not exceeding six months, without bail or mainprize, and also to stand in the pillory for the space of one hour, in some market-town next adjoining to the place where the offence was committed, in open market there, or in the market-town itself where the said offence was committed.

And not having sufficient to pay it, to be imprisoned six months without bail, and stand in the pillory.

Prosecution in six months.

II. Provided always, and be it enacted by the authority aforesaid, That no such action shall be brought, or prosecution carried on by virtue of this act, unless the same be commenced within six months after the offence committed.

Punishment of papists listing themselves in his Majesty's service.

III. And whereas to carry on the service of the said pretender, and for other wicked purposes, many papists pretending themselves protestants, and taking the oath of abjuration, and subscribing the test, when thereunto required, being so allowed to do by the pope, and their other spiritual superiors, the better to disguise and conceal their designs, do enlist themselves in his Majesty's troops, whereby the greater danger may arise to these kingdoms, if not timely prevented: be it therefore enacted by the authority aforesaid, That any person or persons having professed the popish religion, who since the first day of *February* one thousand seven hundred and fifteen, have been enlisted in his Majesty's troops, and who shall not, after the first day of *June* one thousand seven hundred and sixteen, in *Great Britain* or *Ireland*, or in the isles of *Guernsey* or *Jersey*, produce a testimonial of his having publicly renounced the same, or shall not, at the time of his enlisting, declare to the officer or soldier who so enlisteth him, that he hath been, or at present is of the popish religion, shall in such case be liable to, and receive such corporal punishment, not extending to loss of life, as a court martial shall inflict for the same, who are hereby empowered so to do.

CAP. XLVIII.

An act to encourage the planting of timber-trees, fruit-trees and other trees, for ornament, shelter or profit; and for the better preservation of the same; and for the preventing the burning of woods.

WHEREAS the raising and planting of timber-trees, fruit-trees and other trees is of very great profit and advantage to the kingdom of Great Britain: and whereas divers lewd and disorderly persons, and others, have riotously, and sometimes in a clandestine and malicious manner, broke down, cut up or otherwise destroyed such timber-trees, fruit-trees and other trees, to the great discouragement of the planters and owners thereof, and the parties whose trees are so destroyed are remediless, for lack of knowing the parties so offending: therefore for the better encouraging of persons to raise, plant and preserve timber-trees, fruit-trees, and other trees, in fields, hedge-rows, gardens and walks, and elsewhere, either for ornament, shelter or profit, and for the preventing the malicious destroying or spoiling the same, and to give remedy to such persons for making them satisfaction for all damages to be occasioned by such breaking down, cutting up, spoiling, or otherwise destroying the same; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That if any person or persons whatsoever, from and after the twenty-fourth day of June in the year of our Lord one thousand seven hundred and sixteen, shall maliciously break down, cut up, pluck up, throw down, bark, or otherwise destroy, deface or spoil any timber-tree or trees, fruit-tree or trees, or any other tree or trees, the person or persons, body politick or corporate, that is, are, shall or may be damaged by the same, shall receive such satisfaction and recompence of and from the inhabitants of the parish, town, hamlet, vill or place, where such tree or trees shall be so maliciously broken down, cut up, plucked up, thrown down, barked, destroyed, defaced or spoiled, and to be viewed, and damages and costs to be recoverable and recovered against such parish, town, hamlet, vill or place, by the person or persons, whose tree or trees shall be so maliciously broke down, cut up, plucked up, thrown down, barked, destroyed, defaced or spoiled, in the same manner and form as hedges and dikes overthrown by persons in the night, in and by an act of parliament made in the thirteenth year of the reign of King Edward the First, intituled, *Lords may approve against their neighbours: usurpations of commons during the estate of particular tenants*, are to be levied, and damages yielded; and where such offence or offences shall be committed in that part of Great Britain called Scotland, to be recoverable and recovered by way of summar action, and in the same manner and form as damages in other cases of riot are to be recovered by the laws there, unless the party or parties so offending shall by such parish, town, hamlet, vill or place, be convicted of such offence, with-

This act is explained and amended by 6 Geo. 1. c. 16.

Timber trees, &c. maliciously broken down, &c. the parish, &c. shall make good the damage to the owner.

How the damages shall be recovered in England. 13 Ed. 1. stat. 1. c. 46.

How in Scotland.

within the space of six months from the committing such offence or offences; any law or construction to the contrary in any wise notwithstanding.

Two justices or quarter-sessions finally to determine the offences.

Offenders convicted to be sent to the house of correction for three months, or to the gaol for 4 months, and to be whipt.

II. And be it further enacted and declared by the authority aforesaid, That it shall and may be lawful to and for any two or more justices of the peace of the county, riding, division, stewartry, regality, city, town, borough or corporation, wherein any such offence or offences shall be committed, or the justices in open sessions, upon complaint to them made by an inhabitant of the aforesaid parish, hamlet, vill or place, or of the owner of such tree or trees, or of any other, to cause such offender or offenders to be apprehended for the trespasses and offences aforesaid, or any of them, and to hear and finally determine and adjudge all and every the offence and offences aforesaid; and if such justices shall convict any person or persons of all or any the trespasses or offences aforesaid, then such justices, immediately after such conviction, shall commit such offender and offenders to the house of correction, there to continue and be kept to hard labour for the space of three months, without bail or mainprize; and where there are no houses of correction in any county, riding, division, stewartry, regality, city, town or borough where such offender or offenders shall be convicted, the said justices shall commit such offender or offenders to such prison as is appointed for other criminals, there to continue for the space of four months; and shall also order and adjudge that such offender and offenders shall be publicly whipt by the master of such house of correction, once every month, during such three months, in such borough or corporation, if the offence be committed therein, and not otherwise; or in the market-town where such house of correction stands, or in the next market-town next adjacent to such house of correction, and in the county where such offence shall be committed, on the market-day of such town, between the hours of eleven and two of the clock; and in such places where there is no house of correction, the said justices shall order and adjudge that such offender or offenders shall be publicly whipt by the hand of the common hangman or executioner once every month, during such four months, on the market-day of any borough or corporation where such offender shall be committed, or on the market-day of some town, between the hours of eleven and two of the clock.

And before discharged shall find sureties for good behaviour for two years.

Setting any wood, &c. on fire, felony. 15 Car. 2. c. 2. 22 & 23 Car. 2. c. 7.

III. And it is hereby further enacted, That before any such offender or offenders shall be discharged, he, she and they shall find sufficient sureties for his, her or their good behaviour for the space of two years thence next ensuing; any law, custom or construction to the contrary notwithstanding.

IV. *And whereas divers woods, underwoods and coppices have been heretofore, and lately set on fire, or burnt, to the great discouragement of planting:* be it therefore enacted and declared by the authority aforesaid, That if any person or persons shall, from and after the said twenty-fourth day of June one thousand seven hun-

hundred and sixteen, maliciously set on fire, or burn, or cause to be burnt, any wood, underwood or coppice, or any part thereof, such malicious setting on fire, burning or causing to be burnt, shall be and is hereby declared and made felony, and the offender and offenders shall suffer, and be liable to all the penalties and forfeitures, as other felons by the law now are; and where such offences are committed in that part of *Great Britain* called *Scotland*, such offender and offenders shall suffer and be liable as wilful fire-raisers, according to an act passed in the seventh year of her late majesty *Queen Anne*, intitled, *An act for improving the union of the two kingdoms*; any thing in this act contained, or in any other law or statute to the contrary in any wise notwithstanding.

Offenders in Scotland to be punished as wilful fire-raisers by the act 7 Ann. c. 21.

CAP. XLIX.

An act to revive and continue an act of the eighth and ninth years of the reign of his late majesty King William, for repair of the piers of *Bridlington*, alias *Burlington*, in the *East Riding* of the county of *York*.

Continued by 5 Geo. 1. c. 10.

The act 8 & 9 W. 3. c. 29. revived and continued to June 24. 1730. Trustees appointed, and to have the same powers as the trustees in the said act.

CAP. L.

An act for appointing commissioners to enquire of the estates of certain traitors, and of popish recusants, and of estates given to superstitious uses, in order to raise money out of them severally for the use of the publick. E X P.

All castles, honours, lordships, manors, lands, &c. of persons since 29 June 1715. attainted, or before 24 June 1718. to be attainted of high treason committed before 1 June 1716. shall be forfeited to his Majesty, for the use of the publick. Estates tail vested in the crown in fee simple. Commissioners named. General meeting of commissioners to be by 3 July 1716. May agree upon rules, &c. May subdivide so as six reside in *Scotland*, and seven in *England*. May appoint a commissioner to travel into any parts where forfeited estates lie. In case of dispute the King to make orders. Commissioners may appoint a register and other officers. Who are to be sworn. Commissioners to proceed in a summary way, &c. and to keep a register, &c. Persons discovering concealed debts, and paying two thirds thereof by 24 Nov. 1716. into the Exchequer, discharged of the intire debts. All claims to be entred before 24 June 1717. All claims to be entred in a book. All conveyances made by persons convicted, after 1 Aug. 1714. fraudulent. Commissioners to give an account in writing to the King and both houses. Commissioners to enquire of the estates of popish recusants, and how much the two third parts amount to, and whether registred. Estates given to superstitious uses, vested in the crown, for the use of the publick. Commissioners in a summary way to enquire of all such estates, and to send for trustees, and for deeds, &c. Trustees discovering such estates before 24 Nov. 1716. to have one fourth part. Each commissioner to have a salary of 1000l. per annum. Salaries for clerks and incident charges to be paid by the Exchequer. All the monies arising by this act appropriated to the use of the publick. E X P.

XXXI. And whereas several of the traitors, whose estates are to be enquired of, as above, were on the said twenty-fourth day of June one thousand seven hundred and fifteen in possession of heritable jurisdictions annexed to their families, commonly called constabularies, regalities, admiralties, stewarties or sheriffsships; all which heritable jurisdictions, Heritable jurisdiction forfeited, to be suppressed.

jurisdictions so possessed by particular families, without any immediate commission from the crown, have been found by experience to occasion great obstruction to justice, and to prevent the influence and use of the
 20 Geo. 2. c. 43. *many good and laudable laws of this realm: be it therefore enacted by the authority aforesaid, That all the said heritable jurisdictions, commonly called constabularies, regalities or admiralties, which were in the possession of the above-mentioned traitors on the said twenty-fourth day of June one thousand seven hundred and fifteen, and which are or shall become forfeited within the times above limited, shall from and after the first day of November in the year one thousand seven hundred and sixteen be suppressed and extinguished, and so remain in all time to come; so that it shall not be lawful at any time after the said first day of November in the year one thousand seven hundred and sixteen, to sell or grant any manner of way, nor by any title of conveyance whatsoever, any of the aforesaid forfeited heritable jurisdictions, commonly called constabularies, regalities or admiralties, to any person or persons, family or families, nor to erect any such heritable jurisdictions in the room of the said forfeited heritable jurisdictions.*

Forfeited sheriffships and stewartries annexed to the crown, &c.

XXXII. Provided always, That the several forfeited sheriffships and stewartries shall subsist and remain with the same powers and privileges which belonged to them at the time of the said forfeiture; and that the said forfeited sheriffships and stewartries be, and they are hereby declared to be annexed to the crown, so as not to be alienated by any gift or grant, otherwise than to such person or persons as his Majesty, his heirs and successors shall think fit to grant them, during pleasure only.

Suppressed constabularies or regalities subjected to the sheriffships &c. where they lie.

XXXIII. Provided also, That the several places, towns, villages and bounds, which were subject to the said jurisdictions, commonly called constabularies or regalities, to be suppressed, as above, shall, and they are hereby ordained and appointed to become subject to the several sheriffships or stewartries within the bounds of which they lie, in the same manner that the other places, towns, villages and bounds which were not erected in or made subject to constabularies or regalities, are and were subject to their respective sheriffships or stewartries; and that the places and bounds subject to the admiralties or vice-admiralties, which are forfeited and suppressed, as above, shall and they are hereby ordained and appointed to become subject to and under the immediate jurisdiction of the court of admiralty established in Scotland, and reserved by the articles of union; any thing herein, or any other act contained to the contrary notwithstanding.

And forfeited admiralties, &c. to the court of admiralty in Scotland.

Commissioners not incapacitated to sit in parliament, &c. General issue. Proviso for the wives of the late duke of Ormond, earl of Marr, and viscount Bolingbroke. EXP,

CAP. LI.

An act for repealing so much of the act of the twelfth and thirteenth years of the reign of King William the Third, intituled, An act for the further limitation of the crown; and better securing the rights and liberties of the subject, as enacts, That no person who should come to the possession of the crown, shall go out of the dominions of England, Scotland or Ireland, without consent of parliament.

WHEREAS it has pleased Almighty God to place his Majesty on the throne of his ancestors, and farther to bless these nations with a numerous progeny of his said Majesty's royal family, and in particular with a prince endowed with all virtues and qualifications requisite to render posterity flourishing and happy: and whereas it is agreeable to the ancient constitution of these kingdoms, that the person of the King or Queen should freely enjoy all and every the just and undoubted rights, liberties and privileges of the crown: and whereas by an act of parliament passed in the twelfth and thirteenth years of the reign of our late sovereign lord King William the Third (of glorious memory) intituled, An act for the farther limitation of the crown, and better securing the rights and liberties of the subject, it was (amongst other things) enacted, That no person who should thereafter come to the possession of the crown, should go out of the dominions of England, Scotland or Ireland, without consent of parliament, which restriction may prove inconvenient with regard to the service of our sovereign lord the King, (by God's mercy now possessed of the crown) and of his heirs and successors: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the clause in the said recited act contained, which provided and enacted, That no person who should come to the possession of the crown, should go out of the dominions of England, Scotland or Ireland, without consent of parliament, and the restriction by the same clause meant or intended, are and shall be repealed, and shall for ever be and be deemed and taken to be void and of none effect; any thing in the said recited act, or any other act to the contrary notwithstanding.

The clause in the act 12 W. 3. c. 2. That no person who should come to the crown, should go out of England, &c. without consent of parliament, shall be void.

CAP. LII.

An act for making the laws for repairing the highways more effectual.

WHEREAS there are some defects in the laws for the better repairing of highways, and also some neglects in the execution of the same, so that they are not so effectual to the end for which they were made: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled,

All the laws
for repairing
highways shall
be put in ex-
ecution.

assembled, and by the authority of the same, That all the laws and statutes now in force, for or concerning the repairing of common highways, and not hereby altered or repealed, shall be duly put in execution according to the tenor of the said laws.

Surveyors ap-
pointed by the
act 3 & 4 W. &
M. c. 12. shall
view the roads,
&c.

II. And be it enacted, That all surveyors of the highways, appointed or that shall be appointed by virtue of an act of the third and fourth of King *William* and Queen *Mary*, intituled, *An act for the better repairing and amending of highways, and for settling the rates and carriage of goods*, shall within fourteen days after the acceptance of their office, and so from time to time, every four months or oftner, if required thereto by warrant of any two or more justices of the peace, view all the roads, common highways, bridges, caufways, pavements, hedges, ditches, and water-courses appertaining to such highways, together with all nufances or incroachments made or committed in or upon any of them, within the parish, township, village, hamlet, precinct or tithing where they are surveyors, and give a particular and true account in writing upon oath of the state and condition of all such highways, and more especially of such faults and defects in any of them as want to be amended or repaired, and of the neglects of labourers, and of those that are obliged to find labourers or teams for the repair of the highways, as required by law, to the justices at their next special sessions to be holden for the amendment of the highways, according to the said recited act, to the end that the said accounts may be carefully preserved, and that at all future sessions the justices of the said division may have full information of, and may be able to examine into the particular state and condition of all the roads, bridges, caufways, pavements, hedges, ditches, and water-courses, as aforesaid, and may the better execute the powers in the laws relating to highways; and all surveyors neglecting to give such account, as aforesaid, shall suffer the same penalty as if they refused to execute the said office, to be levied and disposed of as by the aforesaid act is directed, unless they shall have some reasonable excuse for omitting the same, to be allowed by the justices of the peace of the same division at such their special sessions.

and give an
account on
oath of the
condition
thereof, &c. to
the special ses-
sions.

3 & 4 W. & M.
c. 12.

Justices to ap-
point the re-
parations.

III. And it is hereby further enacted and declared, That the justices of the peace at such their special sessions, by writing under their hands and seals, may order and appoint the reparation of those great roads which do most want repair within the hundred or division where such session is held, to be first amended, and at what time or in what manner the same shall be performed, according to which order, if such there be, all and singular the respective surveyors of the said highways are hereby required to proceed within their respective liberties.

The highways
to be repaired
before harvest.

IV. And it is hereby further enacted and declared, That all surveyors of highways shall take the first most convenient and seasonable time of the year, for repairing and amending the highways within their respective liberties, and take care as far

as is possible, that the said work may be perfected before the time of harvest; and that they accordingly summon the teams and labourers, by law obliged to work at the said highways, to come in upon such most early and seasonable days as the year shall afford, and to repair such ways in priority, as the justices of the peace at such their special sessions shall direct and order, in manner as is herein before expressed; and in case of no such order from the said justices, then to repair such highways as to the said surveyors shall seem most needful of reparations.

V. And be it enacted, That if any fine, penalty or forfeiture shall be laid upon any surveyor or other person or persons, for not doing his or their duty for the amendment of any highways, and the said fines, penalties or forfeitures shall be any ways misapplied by any person or persons whatsoever, or by his or their order or direction, upon proof thereof, upon oath before the justices at such their special sessions, every person so offending shall forfeit the sum of five pounds to such person or persons as shall give information thereof to the justices as aforesaid, to be levied by distress and sale of the offenders goods, rendering the overplus to the owners; and the said justices at such their special sessions are hereby empowered to examine upon oath all persons who can give any account of any money that ought to be applied for the amendment of highways, and levy the penalties, and dispose of the forfeitures as aforesaid.

VI. And whereas it is enacted by an act made in the third and fourth of King William and Queen Mary, That where the justices of the peace of any county, city, borough, or other place, at their general quarter-sessions, shall be fully satisfied, that the common highways, causways, bridges, streets, or other places within any parish, township, hamlet, or other place within their respective jurisdictions, cannot be sufficiently repaired, amended, paved, cleansed and supported, without the help of the said act, that they then may cause assessments to be made, and the money raised to be disposed of as by that act is directed; by the general construction or execution of which act, it is usually construed and understood, that no money can legally be raised by assessment towards the repair of any highways, causways, or parish bridges, till all and every the teams and labourers appointed to work at the said ways have fully performed their six days duty as by law directed: be it therefore enacted by the authority aforesaid, That upon application of the surveyor or surveyors of the highways for any parish or township to the justices of the peace for the county, city, borough, riding or division of the county wherein such parish or township lieth, at their general or quarter-sessions of the peace holden for the said county, city, borough, riding or division, the said justices being satisfied that the highways, causways, and parish-bridges belonging to the said parish or township are so far out of order, that they cannot be repaired as they ought to be, without further power than what the laws have hitherto directed and appointed, may at their sessions, if they see fitting, cause assessments to be made and money to be raised,

Penalty of
misapplying
of the fines, &c.

Quarter-sessions may
cause assessments to be
made for raising money to
repair the
highways, &c.

not exceeding the proportions limited by the said act, in any parish or parishes, townships or hamlets, as aforesaid, and the money to be disposed of as by the said act is directed, for the better repairing of the said highways, though the six days work have not been performed; but the raising money by assessments not to excuse the work of any teams or labourers, by law appointed to work at the said ways.

Justices in cities, &c. may put in execution the acts relating to highways.

VII. And it is hereby enacted and declared, That the justices of the peace of all cities, corporations, boroughs, and other places, are hereby impowered to put in execution any part of this, or any former act or acts relating to any highways within their respective jurisdictions.

VIII. *And whereas divers broad as well as narrow highways are much prejudiced and annoyed by watering lands adjoining or near to the same, and by stopping up ditches, and diverting usual water-courses, or drawing water-courses to the prejudice of the highways, or neglecting to scour and keep open such ditches and water-courses, or by leaving the earth of such ditches so scoured in the highways, to the annoyance of them:* be it therefore enacted by the authority

Penalty of not scouring ditches, removing annoyances, &c.

aforesaid, That from and after the twenty-ninth day of September one thousand seven hundred and sixteen, if any person or persons, who ought to scour and keep open such ditches and usual water-courses adjoining or near to the said highways, and effectually to amend such water-courses, and to remove such other annoyances to the highways, shall, by the space of thirty days after due notice thereof given by the surveyors of the highways (which notice the said surveyors are hereby required to give) neglect or delay to do the same, or shall leave the earth of ditches scoured in the highways for the space of eight days, oath being thereof made by the said surveyors before the justices of the peace at such their special sessions for the hundred, division, or place where such ways do lie, such person so offending shall, for every eight yards of ditching so not scoured and kept open, forfeit the sum of two shillings and six pence, and

Forfeitures to be applied for amendment of the ways.

for each other offence aforesaid any sum not exceeding five pounds, nor under twenty shillings, to be levied by warrant under the hands and seals of the said justices, by distress and sale of the goods and chattels of such person so offending, rendering the overplus, if any be, to the owner: which forfeitures shall be duly accounted for and applied by the said surveyors to and for the amendment of the said highways: and the surveyors of the highways are hereby authorized and required with their workmen to scour and keep open such ditches and water-courses, and to remove all annoyances to all and every the highways, and (where the ditches and drains already made are not sufficient to carry off the water that lies upon or annoys the highways) to make new ditches and drains in and through the lands next adjoining or near to the highways, and to keep them scoured, cleansed and open; and the said surveyors are authorized to come upon the said lands to make such ditches or scour

the

the same with workmen, for all and every of the purposes aforesaid.

IX. And be it further enacted by the authority aforesaid, That where the justices of the peace in any city or market-town (not having already particular provision made for them therein by any former law) or the major part of them, at their general or quarter sessions, shall judge it necessary to appoint a scavenger or scavengers for cleansing the streets, the said justices shall and may, from time to time, nominate and appoint such person or persons as they shall think fitting for that purpose, and also to order the repairing of such streets therein as they shall judge necessary; and for defraying the charges thereof, an assessment or assessments, not exceeding six pence in the pound in one year, shall and may, from time to time, be equally made upon all and every the occupiers or owners of houses, lands, tenements, and hereditaments in such cities: and such assessment or assessments shall and may, from time to time, be made by such person or persons, and levied and collected in such manner as the said justices by their order at such sessions shall direct and appoint in that behalf; and the money thereby raised shall be employed and accounted for, according to the orders and directions of the said justices for and towards the repairing and cleansing the said streets, from time to time; and the said assessments being allowed under the hands and seals of such justices, shall and may be levied, by warrant under their hands and seals, by distress and sale of the goods and chattels of such persons (not paying the same within eight days after demand) rendering the overplus, if any be, to the owner, the necessary charges of making, keeping, and settling such distress being first deducted.

Justices in cities, &c. to appoint scavengers, Geo. 2. c. 18. sect. 3.
and order the repairing of streets, and lay assessments on the owners, &c. of houses, &c.
To be levied by distress, &c.

X. And be it further enacted by the authority aforesaid, That if any surveyor of the highways shall neglect his duty in any thing required of him by this act, he shall forfeit, for every such offence, the sum of forty shillings, to be levied and disposed of, as aforesaid.

Surveyor neglecting his duty to forfeit 40s.

XI. And be it further enacted, That no clerk, or servant to any justice of the peace shall receive any sum of money or fee whatsoever, of any surveyor or surveyors of the highways, for the oath taken, or accounts given by them at such their special sessions, as aforesaid; and if any person or persons shall receive any such sum of money or fee, he shall forfeit the sum of ten pounds, to be recovered in any of his Majesty's courts of record, as aforesaid.

No justice's clerk to receive any fee, on forfeiture of 10l.

XII. Provided always, if any person or persons shall find him or themselves aggrieved by any thing that shall be done in the execution of this act (except as to such persons who shall neglect to scour their ditches, and carry away the earth taken out of the same, or who shall not carry away stone, timber, straw, or dung left in the highways, or who shall not remove any other annoyances by water-courses to the said highways) that then it shall be lawful for the justices of the peace at the next

Persons aggrieved (except such as neglect to scour their ditches, &c.) the quarter sessions may take order therein.

general quarter-sessions, or the greater number of them, to make such order therein, as to them shall be thought convenient, and the same to conclude and bind all persons.

General issue. XIII. And be it further enacted by the authority aforesaid, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons for putting in execution the authority of this act, every person or persons so sued may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass against him or her, the said defendant or defendants shall recover his or her double costs, for which he or they shall have the like remedy as in cases where costs by law are given to defendants.

Prosecution within six months.

XIV. Provided also, That no person or persons shall be punished for any offence against this act, unless such offender be prosecuted for the same within six months after the said offence committed; and that no person who shall be punished for any offence by virtue of this act, shall be punished for the same offence by virtue of any other act or law whatsoever.

Lord mayor, &c. of London may execute the powers vested in them by 22 & 23 Car. 2. c. 17.

XV. And be it further enacted by the authority aforesaid, That the lord mayor, and the justices of the peace for the city of London and the liberties thereof, for the time being, and the commissioners appointed, pursuant to an act made in the twenty-second and twenty-third years of the reign of King Charles the Second, intituled, *An act for the better paving and cleansing the streets and sewers in and about the city of London*, shall and may from time to time, within the said city of London and liberties thereof, use and execute all and every the powers and authorities vested in them respectively by the said act, or any other act, as if this act had not been made.

CAP. LIII.

An act for the attainder of Thomas Forster junior, Esquire, and William Mackintosh, Esquire, (commonly called Brigadier Mackintosh) of high treason.

CAP. LIV.

An act for the more effectual securing the peace of the Highlands in Scotland.

This act is enforced by 11 Geo. I. c. 26.

WHEREAS the custom that has two long prevailed amongst the Highlanders of Scotland, of having arms in their custody, and using and bearing them in travelling abroad in the fields, and at public meetings, has greatly obstructed the civilizing of the people within the counties herein after named; has prevented their applying themselves to husbandry, manufactures, trade, and other virtuous and profitable employments; has been the cause of many riots, robberies, and tumults; hath and does tend to disappoint the execution of the law, to the dishonour of government, and unspeakable loss of his Majesty's subjects; has in a peculiar manner been one of the fatal causes of the late unnatural rebellion, and may occasion the like or greater

greater calamity in time to come, if not prevented by a proper remedy: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *November* in the year of our Lord one thousand seven hundred and sixteen, it shall not be lawful for any person or persons within the shires of *Dunbartain* on the north side of the water of *Leven*, *Sterling* on the north side of the river of *Forth*, *Pertb.*, *Kincardin*, *Aberdeen*, *Inverness*, *Nairn*, *Cromarty*, *Argyle*, *Forfar*, *Banff*, *Sutherland*, *Caithness*, *Elgin*, and *Ross*, to have in his or their custody, use or bear broad sword, or target, poy-nard, whingar, or durk, side-pistol or side-pistols, or gun, or any other warlike weapons, in the fields, or in the way, coming or going to, from, or at any church, market, fair, burials, huntings, meetings, or any other occasion whatsoever, within the bounds aforesaid, or to come into the *Low-Countries* armed, as aforesaid: and in case any of the said person or persons above described, shall have in his custody, use or bear arms, otherwise than in this act directed, every such person or persons so offending, being thereof lawfully convicted before one or more justices of the peace, or before any other judge competent of the place summarily, shall, for the first offence, forfeit all such arms, and be liable to a fine, not exceeding the sum of forty pounds sterling, and not under the sum of five pounds sterling, and to be imprisoned till payment of the said fine; which if not instantly paid after commitment, the said fine may and shall be levied out of the offender's goods and estate, by warrant of the judge who shall pronounce any such sentence, to be applied, the one half to the use of the informer, and the other at the sight of the justices of the peace where such offenders shall be convicted, towards repairing the publick works within the said shire; and further, liable to a month's imprisonment: and being convicted for a second offence before the court of justiciary, or before the judges at their circuit, shall forfeit such arms and be liable to a fine, not exceeding the sum of eighty pounds sterling, and not under the sum of ten pounds sterling; and for every subsequent offence, to a fine the double of the former, to be levied and applied as above: and for want of payment of any such fine, or a sufficient distress to satisfy the payment of it, the offender shall be liable to be transported to any of his Majesty's plantations beyond the seas, there to remain for the space of seven years.

Persons within the shires of Dunbarton, &c. shall not keep or wear any arms.

Penalty for the first offence.

Second offence.

Every subsequent offence.

II. And be it further enacted by the authority aforesaid, That all trials for the aforesaid offences shall be entred in a register or record to be kept apart by the clerk of the court of justiciary, or his deputies; and that where any offender or offenders shall be tried for the first offence before any inferior court, the clerk of every such court shall, and he is hereby required to exhibit full duplicates of every such trial and sentence following thereupon, signed by his hand judicially, before the judge or judges at their circuits, in the very next court after such trials shall

Trials of offenders to be entred in a register.

Duplicates to be exhibited to the judges at their circuits,

and shall have the same force as other decrees.

shall have been, to be delivered to the clerk of the circuit; who is hereby required and commanded to enter the same upon the book of register, which is appointed to be kept separate in manner aforesaid: and that within forty days after such duplicates shall be exhibited and delivered in manner aforesaid, extracts whereof, signed by the said clerk of justiciary, shall have the same force and authority as extracts from other registers of decrees and acts in *Scotland*, by the laws there, have; and that the clerks of such inferior courts, within the jurisdiction of any separate court of justiciary general, shall in like manner forthwith transmit the duplicates aforesaid into the said court, there to be kept in a register apart, in order to the conviction of such persons who shall be guilty a second time, or oftner, of the above-mentioned offence.

Clerks, &c. neglecting to make such duplicate shall forfeit 10l.

III. And be it further enacted, That if any clerk or clerks of any of the said inferior courts shall neglect to make and sign such duplicate, or to exhibit the same judicially in the circuit-courts, or to deliver the same to the clerk of the said circuits, or to transmit the same in the case above-mentioned; or if the said clerk of justiciary, or his deputy-clerks of the said circuits, shall neglect to enter the said duplicates upon the register appointed to be kept in manner before-mentioned, every such clerk so offending shall be liable to a fine of ten pounds sterling, to be levied as aforesaid.

The said matters shall be point of dittay.

IV. And be it further enacted by the authority aforesaid, That the matters above-mentioned shall be point of dittay, and that the judges at their circuits shall enquire concerning the prosecutions that shall have been made upon this act, and the keeping of the duplicates of the trials in manner above directed.

The register to be exhibited into the court of justiciary.

V. And be it further enacted by the authority aforesaid, That the clerk of justiciary, or his deputy, shall exhibit into the said court of justiciary the book of register above directed, at the first court that shall happen to be held after the return of the judges from their circuits, and the running of the forty days allowed for filling up the said register; to the end, that all neglects by not making, exhibiting, and delivering duplicates, or by not entering the same, together with the proceedings had before the said court of justiciary, or judges at their circuits, in manner above directed, may be punished, according to this act; without delay.

This act shall not extend to peers, &c.

VI. Provided always, and be it further enacted by the authority aforesaid, That the prohibition above-mentioned of keeping, bearing or wearing any warlike weapons, and the pains and penalties aforesaid, shall not extend to the case of any peers of this realm, nor their sons, nor of any officers or their assistants, employed in the execution of justice; nor shall this act be construed to hinder any commoner, having the yearly income of four hundred pounds *Scots*, or more, or who is otherwise qualified to vote at elections of parliament-men to serve for any of the above-named counties, to have in his custody or use, in manner allowed by laws now in force, any number of arms not exceeding

Commoners having 400l. Scots per ann. may keep two firelocks, &c.

exceeding two firelocks, two pair of pistols, two swords; the magistrates of every burgh royal to have in their custody a sufficient number of arms for keeping guard within their burghs, and the inhabitants of burghs royal to use the said arms in keeping guard, according to the directions of their respective magistrates: provided always, That the arms in burghs royal be kept in magazines under the care of the magistrates, and not left in private houses; and that the whole number of arms so kept in any burgh royal shall not exceed the number of two hundred; nor hinder the officers of the army having his Majesty's commissions, and the soldiers under their command, to keep, use, or bear arms as formerly; nor the lieutenants of counties, their deputies and the militia, and sensible men under their command, to keep or receive out of his Majesty's magazines, arms, and to use the same during the time that their militia and sensible men shall be called out by lawful authority.

Magistrates of burghs royal may keep arms in magazines.

Lieutenants of counties may receive arms out of the King's magazines.

VII. Provided always, That the said lieutenants of counties, their deputies, militia and sensible men under their command, return the arms received out of the King's magazines within twenty days after the expiration of the time for which they shall be called out, under the pains and penalties above-mentioned.

But shall return them to the magazines.

VIII. And be it further enacted by the authority aforesaid, That from and after the sixteenth day of July one thousand seven hundred and sixteen, when a warrant is granted by any lord lieutenant, or two deputy lieutenants of any of the shires or bounds above-mentioned, to search for any ammunition or other warlike stores, which he or they shall judge dangerous to the peace of the kingdom, and kept or used contrary to the directions of this present act, in pursuance of an act passed this present session of parliament to that effect, the said search may be made within the said shires or bounds between sun-setting and sun-rising, if the warrant shall so direct; and in case of resistance or refusal of entry into the place where such search is to be made, or of the hiding, concealing or conveying away such arms, ammunition or other warlike stores, all and every person and persons wilfully aiding or abetting, or being guilty art and part of such resistance or refusal of entry, or the hiding, concealing or conveying away such arms, ammunition or other warlike stores, shall be liable to a fine not exceeding fifteen pounds sterling, and not under five pounds sterling, to be levied as above.

After July 16, 1716, Search may be made for arms, &c. in the night.

Penalty of resisting such search.

IX. And whereas it is just and reasonable, That all such persons as have continued faithful to his Majesty during the late unnatural rebellion, and who are by this act discharged from keeping or using arms, should have the just and true value of all such arms as they are obliged by this act to lay aside: be it therefore enacted by the authority aforesaid, That all persons within the limits aforesaid; who have continued faithful to his Majesty, and who are hereby obliged to lay aside their arms, shall deliver them up to the lords lieutenants of their respective counties, or their deputies, or such other persons as his Majesty shall be pleased to commission for that

Such persons as have remained faithful to his Majesty, shall be paid the full value of the arms they deliver up.

purpose, and shall receive the true and just value of them in money in manner after-mentioned; that is to say, The lords lieutenants of the several counties above-mentioned, or their deputies, or such other persons commissioned as aforesaid, are hereby commanded and required, before the first day of *August* in the year of our Lord one thousand seven hundred and sixteen, to appoint, by proclamation to be made at the several market-crosses and parish-churches, proper places and times, within their respective counties, where such arms shall be delivered; and to appoint five or more persons to receive and value the same upon oath, and grant receipts under their hands for them, bearing the names, number and value of the arms so delivered; which oath, the said lords lieutenants, or their deputies, or such other persons commissioned as aforesaid, are hereby required and empowered to administer: and if any of the persons to be appointed to receive and value the said arms, shall wilfully refuse to take the said oath, or to receive or value the said arms, every person so refusing shall forfeit the sum of one hundred pounds sterling; and within forty days after the receipt of such arms, the lords lieutenants, or their deputies, or such other persons commissioned as aforesaid, are hereby commanded and required to transmit the same to such places as his Majesty shall think fit to direct, with a signed list of the names and designations of the several persons who delivered them, and their particular values; and for the effectual payment of the said value, the collectors of the land-tax or excise within the said counties are hereby commanded and required to pay the sums contained in the said receipts out of the first and readiest monies that are in or shall come to their hands for the use of the publick: the which receipts, indorsed by the persons to whom they were first granted, are hereby ordered to be passed to the credit of the said collectors of the land-tax or excise, at making up of their accounts.

*X. And whereas the prevailing custom of convocating numbers of his Majesty's subjects together, with the practice of obliging them to perform divers services, arbitrary and oppressive, by virtue of clauses in charges, contracts or agreements, within the limits aforesaid, is contrary to the nature of good government, destructive to the liberties of free people, inconsistent with the obedience and allegiance due to his Majesty and government, as well as the greatest obstruction to the improvement of trade, husbandry and manufactories, and was one of the greatest means of raising and carrying on the late unhappy rebellion: be it therefore enacted by the authority aforesaid, That from and after the first day of *August* in the year of our Lord one thousand seven hundred and seventeen, and all time thereafter, the annual value of the services, commonly called personal attendance, hosting, hunting, watching and warding, due by virtue of any charter, contract, custom or agreement whatsoever, shall be paid in money annually instead of them.*

After Aug. 1, 1717, the annual value of personal attendance, &c. shall be paid in money.

How the annual value

XI. And for the determining the said annual value of services and attendance, it is hereby further enacted by the authority aforesaid,

foresaid, That the persons to whom such services and attendance are due, and those by whom they are payable, shall each for themselves agree mutually for the said annual value, or by arbitrators chosen by their mutual consent; and in case they cannot agree in manner aforesaid, either party may apply to the lords of the session at *Edinburgh*, by bill or petition, to have the said annual value ascertained by them; and the said lords of the session are hereby empowered and required summarily to determine the said annual value, after having heard both parties, or summoned and given them time to compare.

shall be determined.

XII. And for preventing the like abuses in time to come, it is hereby further enacted by the authority aforesaid, That all clauses in charters, contracts or agreements of any sort, whereby the foresaid services of personal attendance, hosting, hunting, watching and warding are contracted to be payable, and for which a certain sum of money is ordered to be paid annually as above, as well as all obligations to pay the aforesaid services and attendance, which shall hereafter be contracted, shall, from and after the said first day of *August* one thousand seven hundred and seventeen, be void and null, and of no effect in law, and so remain in all time to come.

Clauses in charters, &c. for paying the said services, &c. shall be void.

XIII. Provided always, That nothing in this act contained shall be construed to enervate or take away any other clause or article in the aforesaid charters, contracts or agreements, besides those clauses, by virtue of which the foresaid services and personal attendance of hosting, hunting, watching and warding are payable.

Not to extend to other clauses in the said charters.

XIV. Provided also, That the foresaid agreements by mutual consent or by arbitrators, or failing of these, the sentences of the lords of the session interposing as above, whereby a certain sum of money shall be determined to be paid annually, instead of the foresaid services of personal attendance, hosting, hunting, watching and warding, shall have, and they are hereby ordered to have the same force and effect in law, as if the said sum of money ascertained and determined as above, were insert as payable in the said respective charters, contracts or agreements, instead of the said services of personal attendance, hosting, hunting, watching and warding; any law, statute or usage to the contrary notwithstanding.

Agreements by mutual consent, &c. to be binding in law.

XV. And whereas by an act passed in the sixth year of the reign of her late majesty *Queen Anne*, intituled, An act for rendring the union of the two kingdoms more intire and complete; it is among other things enacted, That circuit courts shall be holden in that part of the united kingdom called *Scotland*, in manner and at the places mentioned in the said act: and whereas, by the late unnatural rebellion, the course of justice in *Scotland* has been so interrupted, as rendered it impossible to give up and transmit presentments in such due time, as prosecutions might thereupon commence before the circuits to be holden in *May* one thousand seven hundred and sixteen, whereby and by the absence of several sheriffs and other officers appointed by law for executing the portous rolls, who joined in the said rebellion, there

Lord justice clerk, &c. indemnified for not performing the circuit in May 1716.

appeared a necessity of superseding the said circuit : be it therefore enacted by the authority aforesaid, That the lord justice clerk, and commissioners of justiciary, and all and every other person and persons therein concerned, are hereby exonerated and indemnified for their not performing the said circuit, as by the forecited act they were obliged to do ; any thing in the same act, or in any other law or statute to the contrary notwithstanding.

Account to be laid before his Majesty, of proper places for schools.

XVI. *And whereas the want of schools in proper places, for the education of youth within the bounds aforesaid, is also a great cause of the ignorance and rudeness of the meaner sort of people in those parts : be it therefore further enacted by the authority aforesaid, That such persons as his Majesty shall appoint under his royal sign manual, shall, and they are hereby required and empowered, on or before the first day of December in the year of our Lord one thousand seven hundred and sixteen, to lay before his Majesty an account of the proper places for establishing schools, and of the necessary salaries for the maintenance of them, that all needful provision may be made for that end.*

CAP. LV.

An act to oblige papists to register their names and real estates.

WHEREAS the papists within this kingdom, notwithstanding the tender regard that hath been shewn them for many years last past, by omitting to put in execution the many penal laws which (on occasion of the many just provocations they have given, and horrid designs they have framed, for the destruction of this kingdom and the extirpation of the protestant religion) have been made against them ; and notwithstanding they have enjoyed, and do still enjoy the protection and benefit of the government, as well as the rest of his Majesty's subjects, have not only, all or the greatest part of them, been concerned in stirring up and supporting the late unnatural rebellion, for the dethroning and murdering his most sacred Majesty ; for destroying our present happy establishment ; for settling a papish pretender upon the throne of this kingdom ; for the destruction of the protestant religion, and the cruel murdering and massacring its professors ; by which they have brought a vast expence upon this nation : and whereas it manifestly appears by their behaviour, that they take themselves to be obliged, by the principles they profess, to be enemies to his Majesty and to the present happy establishment, and watch for all opportunities of fomenting and stirring up new rebellions and disturbances within the kingdom, and of inviting foreigners to invade it : and for as much as it is highly reasonable that they should contribute a large share to all such extraordinary expences as are or shall be brought upon this kingdom by their treachery and instigation : and to the end that, by paying largely to the late great expences by them brought upon this nation, they may be deterred, if possible, from the like offences for the future : and that this nation may have the benefit of his Majesty's gracious condescension, in giving his interest in the two third parts of all the papists' estates, which are already forfeited to him by law, for the use of the publick, either by seizing the said two third parts

parts of their estates for the public service, or by laying some tax or charge upon their estates in lieu thereof, in such proportion and in such manner as shall be determined to be reasonable in parliament: and to the end that their estates may be certainly known and discovered, for the purposes aforesaid, or for such other ends as a parliament shall think fit, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all and every person and persons, not having taken the oaths herein after-mentioned before the last day of *Trinity* term one thousand seven hundred and sixteen, in the manner by law required, having any estate or interest in any lands, tenements or hereditaments, or who shall hereafter have any estate or interest in any lands, tenements or hereditaments lying, being or arising in that part of *Great Britain* called *England*, or in *Wales*, or the town of *Berwick upon Tweed*; who is or shall be a popish recusant or papist, or is or shall be educated in the popish religion, or whose parent or parents shall be a papist or papists, or who shall use or profess the popish religion, shall, if he, she or they be, on the twenty fourth of *June* one thousand seven hundred and sixteen, of the age of one and twenty years, on or before the twentieth day of *January* in the year of our Lord one thousand seven hundred and sixteen, and if he, she or they be, on the said twenty fourth of *June*, unborn or under that age, within the space of six months next after he, she or they shall respectively attain to that age, and have such estate or interest as aforesaid, take the several oaths appointed to be taken by such persons who bear any office under his Majesty, by an act made in this present session of parliament, intituled, *An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors*, and also repeat and subscribe the declaration set down and expressed in an act of parliament made in the thirtieth year of the reign of the late King *Charles* the Second, intituled, *An act for the more effectual preserving the King's person and government, by disabling papists from sitting in either house of parliament*, in the high court of chancery, court of King's bench, court of common pleas, or court of Exchequer, or at the general quarter-sessions of the peace to be holden for the county, riding or division, where such lands, tenements or hereditaments, or some part thereof, shall lie or arise, between the hours of nine and twelve of the clock in the forenoon, or in default thereof shall, within the space of six months next after the time hereby appointed for him, her or them to take the said oaths, and so, from time to time, within six months after he, she or they, or any trustee or trustees for him, her or them, or his, her or their benefit or advantage, shall come into the possession or perception of the rents or profits of any other lands, tenements or hereditaments, register, or procure to be registered, his, her or their

Papists in England, &c. of the age of 21 years on June 24, 1716, not having taken the oaths, shall before Jan. 20, 1716,

take the oaths appointed by 1 Geo. 1. stat. 2. c. 13.

and repeat and subscribe the declaration in 30 Car. 2. stat. 2. c. 1.

or in default shall within six months after they come into possession of any lands, &c.

register their name and

land, &c. in books to be kept by the clerks of the peace.

Manner of registering.

Estates let upon lease.

Persons names to be subscribed in the presence of two justices.

Two justices to subscribe their names, on penalty of 20 l.

Clerks of the peace to keep parchment-books to enter the names,

name or names, and all such lands, tenements and hereditaments, whereof he, she or they, or any trustee or trustees for him, her or them, or his, her or their benefit or advantage, shall be in possession, or in the receipt or perception of the rents or profits, which are situate, lying, being or arising in *England, Wales*, or the town of *Berwick upon Tweed*; and shall express or cause to be expressed in such register, in what parish, township or place such lands, tenements and hereditaments, and every part thereof lie or arise, and who, for the time being, is or are the possessors thereof, and of every part thereof, and what estate or interest he, she or they, whose name or names is or shall be so registered respectively, have in the same, and in every part and parcel thereof respectively, and the yearly rent reserved to him, her or them for the same, if the same shall be lett; and if the same shall be lett upon lease, then by whom such lease was made, what yearly or other rent is reserved thereupon, and what fine or sum of money was paid for such lease thereof, in case the same was made by himself or any person in trust for him, or that he was party or privy thereunto, and the time and day of the month and year when such entry shall be made, in a parchment-book or books, roll or rolls, which shall be kept by the clerk of the peace for every county, riding and division, where such lands, tenements or hereditaments shall respectively lie, arise or be. And to the end that all fraudulent or covenantous registering any persons names or estates, who do not desire to have them registered, may be prevented, every person whose name and estate shall be, or ought to be registered as aforesaid, is hereby obliged to take care that his name be, within the said six months hereby allowed for making such registry, subscribed to such registry or entry in the said books or rolls, in the presence of two or more justices of the peace for the county, riding or division, where such registry shall be, in open sessions, either by the person himself whose name and estate shall be so registered, or by his attorney or attornies thereunto lawfully authorized by warrant of attorney under his hand and seal, executed by him in the presence of two or more witnesses, two of which witnesses at the least shall make proof of such execution upon their oaths at the quarter-sessions where such name shall be subscribed or registry produced; and the justices of the said court of quarter-sessions are hereby impowered and required to examine such witnesses upon oath for that purpose; and two of the justices of the peace then present shall subscribe their names to every such entry which shall be so made before them, as witnesses that the same was duly made as aforesaid; and in default thereof each of the said justices then present shall forfeit twenty pounds to the King. And to the end that the parties concerned in the premises may find no difficulty in procuring their names and estates to be registered as aforesaid, all and every such clerk and clerks of the peace are hereby required to keep parchment-books or parchment-rolls at some notorious place in the county, riding or division, in which they shall act as clerks of the peace; and shall by themselves or their lawful deputies register and enter in the said books

books

ooks or rolls the christian and surnames of all and every such person or persons, who shall come in person and desire to be registered as aforesaid, or shall send any writing under his, her or their hand to such clerk of the peace or his deputy, desiring him to register his, her or their name or names; and shall also register the state in lands, tenements and hereditaments of every such person and persons, in such manner and in such words, as he, she or they shall, by any writing signed by him, her or them respectively, desire such clerk of the peace or his deputy to register the same: provided the person or persons who desire such registry to be made, shall tender and pay to such clerk and clerks of the peace, or to his or their lawful deputies, the fees hereby appointed to be paid unto him or them for such registry, and so that they apply to him or them to enter such registry, and deliver to him in writing the words he or they respectively desire to have so registred or entred, ten days at the least before the quarter-sessions where the entries thereof are to be subscribed as aforesaid; and such clerk or clerks of the peace, or their lawful deputy or deputies, shall enter such persons names and registry of their estates before the next quarter-sessions of the peace after such delivery in the said books or rolls, and shall carry the said books and rolls in which such entries shall be so made with him or them to the next and every other quarter-sessions of the peace to be held for the county, riding, division or place where such entry shall be made, until the time of such subscribing the same shall be expired; to the end that all and every the persons whose names shall be or ought to be registred, as aforesaid, or their respective attorney or attorneys, may have an opportunity to come to the said sessions, and subscribe the names of the persons so to be registred to the same; and such clerk and clerks of the peace shall also keep alphabetical tables of the surnames of all and every such person and persons whose names and estates shall be so registred, and of the parishes and townships where the lands so registred lie, with reference to the place in the book or books, roll or rolls, where such names and lands shall be registred; and shall also carefully keep all such warrants of attorney as shall be so proved, as aforesaid, upon a file, together with such books and rolls; and shall likewise enter such warrants of attorney upon record, and shall have for such registry and entry on record, a fee of three pence for every two hundred words which such registry and entry on record shall contain, and no more, to be paid by the person registering the same; and shall also have the sum of four pence, and no more, for every search that shall be made for the name or estate of any person; and is and are hereby required to make search on the request of any person or persons who shall pay such fees, and also shall permit and suffer such person and persons to inspect and search the said tables, books and rolls, and inspect such letters of attorney as shall be so led, if he or they shall desire it; and every such clerk of the peace is hereby required to give copies of such registries, subscribed by himself or his lawful deputy, to every person and persons

and register
the estates, &c.

Fees to be
so paid.

Books to be
carried to the
quarter-sessions.

Clerks of the
peace to keep
alphabetical
tables of the
surnames,

and file the
warrants of
attorney.

3 d. for every
200 words,

4 d. for every
search.

Clerk of the
peace shall
give copies of
register,

and refusing
shall forfeit
his office.

Penalty of
persons not
taking the
oaths, or not
registring
their estates,
&c.

Forfeitures,
how to be re-
covered and
disposed.

sons who shall desire such copies, and tender him the fees here by appointed to be paid for the same; and shall suffer such persons who shall request him so to do, to examine the same with the roll or books by him kept, and for so doing shall take a fee of three pence for every two hundred words contained in every such copy as shall be so taken, and no more; and if any clerk of the peace shall neglect or refuse to do any of the matters or things hereby appointed to be done by him, and be there lawfully convicted, he shall thereby forfeit his office; and if any such person or persons, who is or are hereby required or intended to take and subscribe such oath, and repeat and subscribe such declaration, as aforesaid, or in default thereof, to register or cause to be registered, his, her or their name and names estate and estates, as aforesaid, shall not either take and subscribe such oath, and repeat and subscribe such declaration, as aforesaid, in such manner, as aforesaid, or register his, her or their respective name and names, and estate, in such manner, as aforesaid; and also subscribe his, her or their respective name or names to such registry, or procure the same to be subscribed thereto by his, her or their respective attorney or attorneys, lawfully authorised, as aforesaid, so to do, within the respective times herein before limited or appointed for his, her or their doing thereof, or shall not register the same truly, that then and in every such case, the person and persons wilfully neglecting or refusing so to do, or committing any fraud in such registry, shall forfeit the fee-simple and inheritance of all such lands, tenements and hereditaments not registered, or fraudulently registered, whereof he, she or they, or any person or persons in trust for him, her or them, was or were seized in fee-simple at the time of such default or fraud in registering, as aforesaid, and the full value of the inheritance of all such lands, tenements and hereditaments not registered, or fraudulently registered, as aforesaid, whereof he, she or they, or some person or persons in trust for him, her or them, was not or were not seized in fee-simple at the time of such default or fraud, as aforesaid; two third parts thereof to the King, and the other third part thereof to such person or persons, being a protestant or protestants, who shall sue for the same at the common law, in any of his Majesty's courts at *Westminster*, by such action, bill, plaint, suit or information, or other process as shall be proper, according to the nature of the case, and of the thing sued for, or in the high court of chancery; and the person so suing shall be intitled in the high court of chancery to demand all such discoveries as he might do if he were a purchaser upon a valuable consideration of the estate so sued for; and to demand a true discovery from all persons of all such incumbrances and titles which any way do or may affect the same, and of all trusts relating thereto or protecting the same; to which bill or bills no plea or demurrer shall be allowed, but the defendant or defendants shall sufficiently answer the same at large; and also that the person suing for any such real estate may, if he shall think fit, bring an ejectment

ejectment for the same upon his own demise, and give this act and the special matter in evidence; and if it shall appear upon trial of such ejectment, that the estate sued for is the estate of the person so neglecting to register, or fraudulently registering, and the defendant shall not be able to make it appear that he took the said oaths, and repeated and subscribed the said declaration, in such manner as aforesaid, or otherwise that he registered his name and the estate so sued for in such manner as aforesaid, a verdict shall be given for the lessor of the plaintiff in such ejectment, and judgment shall be thereupon had in such manner as is usual upon verdicts in ejectment, and the lessor of the plaintiff shall have costs of suit, as is usual when judgment in ejectment is recovered by, or given for the lessor of the plaintiff; and by such judgment two third parts of the lands, tenements and hereditaments so recovered, shall be vested in the King's majesty, his heirs and successors, and the other third part thereof in the person who shall be the lessor of the plaintiff in the said ejectment.

II. Provided always nevertheless, and be it enacted by the authority aforesaid, That if any person or persons, who is or are hereby required or intended to take and subscribe such oath, and make and subscribe such declaration, or to make such registry, as aforesaid, shall be beyond the seas upon the eighteenth day of *June* one thousand seven hundred and sixteen, that then and in such case, if such person or persons shall take the oaths, or repeat and subscribe the declaration hereby appointed to be taken, repeated and subscribed in such court, and in such manner as the same are hereby before appointed to be taken, repeated and subscribed, on or before the twentieth day of *May* one thousand seven hundred and seventeen, or in default thereof shall procure his or their respective name and names, estate and estates to be registered in such manner, as aforesaid, at any time within six months next after the said twentieth day of *May* one thousand seven hundred and seventeen, that then and in such case, such taking the oaths and repeating and subscribing the said declaration, or such registry of his or their respective name or names, and estate or estates, shall be as good and effectual, in respect of every such person and persons so being beyond sea upon the said eighteenth day of *June* one thousand seven hundred and sixteen, as it would have been if such person had taken the said oaths, and repeated and subscribed the said declaration on or before the twentieth day of *January* one thousand seven hundred and sixteen, in such manner as aforesaid, or had registered his name and estate in such manner as aforesaid, within six months next after the said twentieth day of *January* one thousand seven hundred and sixteen.

III. Provided, That in case such person or persons so making default, or committing any fraud in registering, as aforesaid, after such default or fraud committed, and before he, she or they be thereof convicted, or any ejectment or suit brought for such forfeited lands, tenements or hereditaments, shall *bona fide*, for a just

Persons beyond sea on June 18, 1716. taking the oaths before May 20, 1717. or procuring their names, &c. to be subscribed, and estates registered, shall be good and effectual.

Purchasers, &c. for a valuable consideration, not knowing of any default or just

fraud in registering, shall not be prejudiced, &c. by reason of any forfeitures.

just and valuable consideration, convey over, grant, lease or incumber all or any such lands, tenements or hereditaments omitted, or fraudulently registered, as aforesaid, that then and in such case, the person or persons so purchasing, or having such grant, lease or incumbrance, as aforesaid, not knowing, at the time of such purchase or incumbrance made, the said offender to be a person within the description of this act, shall not be prejudiced, nor his, her or their estate or interest in the said lands, tenements and hereditaments, impeached, for or by reason of such forfeiture, as aforesaid; but in that case the said offender shall forfeit the value of the inheritance of the said lands, tenements and hereditaments, to be distributed and recovered in manner as aforesaid.

Not to extend to persons not actually seized &c. for the space of six months.

IV. Provided always, and be it hereby further enacted and declared by the authority aforesaid, That nothing in this present act contained shall extend or be construed to extend to compel any person whatsoever to register, or procure to be registered, any lands, tenements or hereditaments, until he or some other person or persons, as trustee or trustees for him or his benefit, or on his behalf, is, are, have or hath been, or shall be actually seized and have notice thereof, or possessed, or in the receipt of the rents or profits of the same, for the space of six months.

Not to compel any farmers, &c. to register.

V. Provided, That nothing herein contained shall extend or be construed to extend to compel any person or persons to register any lands, tenements or hereditaments, whereof he, she or they shall be only farmer or farmers, or tenants at a rack-rent, or who only do or shall hold by lease or leases, whereupon two thirds of the full yearly value, or more, is, are or shall be reserved.

Nor to prejudice any creditor; but persons making default, &c. in registering incumbrances, shall forfeit the value.

VI. Provided also, That nothing herein contained shall extend to defeat or prejudice any protestant, or other creditor, who *bona fide* hath or shall have any charge or incumbrance upon any real estate or estates hereby directed to be registered; but then in case of such charge or incumbrance, the person or persons so making default, or committing any fraud in registering, as aforesaid, shall forfeit the value of such charge and incumbrance, one third part thereof to and among the person and persons who shall by virtue of this act sue for and recover the lands, tenements and hereditaments forfeited, as aforesaid, and subject to such charge and incumbrance, or any part thereof, in proportion to the part so by him, her or them recovered, and two third parts thereof to the King's most excellent majesty, his heirs and successors.

Times allowed to persons in the Indies or America.

VII. Provided also, and be it further enacted and declared by the authority aforesaid, That no person or persons being in the *East or West-Indies or America*, shall be compelled to take the said oaths, and sign the declaration before-mentioned, and register his, her or their estate or estates at the time within mentioned, but shall have twelve months longer than the times herein before respectively allowed to persons beyond the seas to take the said

said oaths, and sign the said declaration, and register their estate and estates; any thing herein to the contrary notwithstanding.

CAP. LVI.

An act to disable any person from being chose a member of, or from sitting and voting in the house of commons, who has any pension for any number of years from the crown.

WHEREAS by an act, intituled, An act for the security of ^{6 Ann. c. 7.} her Majesty's person and government, and of the succession to the crown of Great Britain in the protestant line, and made in the sixth year of the late Queen Anne, it was provided, That no person having any pension from the crown during pleasure, should be capable of being elected, or of sitting or voting as a member of the house of commons, in any parliament which should be then after summoned and holden; to the end therefore that the provision intended by that law, for securing the honour of the house of commons, may not in future times be defeated or eluded by any person who shall be a member of the house of commons, accepting any pension for any term or number of years; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That no person having any pension from the crown for any term or number of years, either in his own name, or in the name or names of any other person or persons in trust for him, or for his benefit, shall be capable of being elected or chosen a member of, or of sitting or voting as a member of this present or any future house of commons which shall be hereafter summoned.

No person having a pension from the crown shall be capable of being elected, &c. a member of the house of commons.

II. And be it further enacted by the authority aforesaid, That ^{Any person having such pension, and who being elected shall sit in the house, shall forfeit so l. per diem, to the prosecutor.} if any person who shall have such pension, as aforesaid, at the time of his being so elected, or at any time after, during such time as he shall continue or be a member of the house of commons, shall presume to sit or vote in that house, then and in such case, he shall forfeit twenty pounds for every day in which he shall so sit or vote in the said house of commons, to such person or persons who shall sue for the same in any of his Majesty's courts in *Westminster-Hall*; and the monies so forfeited shall be recovered by the person so suing, with full costs of suit in any of the said courts, by action of debt, bill, plaint or information, in which no essoin, privilege, protection or wager of law shall be allowed, and only one imparlance.

CAP. LVII.

An act for better regulating hackney-coaches, cabs, drays, carts and waggons within the cities of London and Westminster, and the weekly bills of mortality; and for preventing mischiefs occasioned by the drivers riding upon such carts, drays, carts and waggons.

9 Ann. c. 23.

WHEREAS by an act of parliament made in the ninth year of the reign of her late majesty Queen Anne, intituled, An act for licensing and regulating hackney-coaches and chairs; and for charging certain new duties on stamp vellum, parchment and paper, and on cards and dice, and on the exportation of rock-salt for Ireland; and for securing thereby, and by a weekly payment out of the post-office, and by several duties on hides and skins, a yearly fund of one hundred eighty-six thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions, a power was given to the commissioners therein mentioned, from time to time, during the term of thirty two years therein mentioned, to license all such persons, who, from and after the twenty fourth day of June in the year of our Lord one thousand seven hundred and fifty, at any time or times within the said term, should drive or keep hackney-coach or coach-horses within the cities of London and Westminster, or the suburbs of the same, or within the parishes comprized within the weekly bills of mortality: and whereas several inconveniences have been found by reason of a clause in the said act, whereby its commissioners are empowered to make by-laws to bind such persons as who shall have licenses to keep hackney-coaches: and whereas several doubts have arisen in relation to other clauses in the said act; may it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That for the better regulating and ordering such persons who are or shall be licensed to keep or drive hackney-coaches, and the renters of such licences, and drivers of such coaches, and to prevent any disturbances and other inconveniencies in the streets and highways where such coaches shall stand and be driven, and for punishment thereof, it shall and may be lawful for the commissioners (from time to time authorized to put the said recited act in execution) or the major part of them, to make such orders, by-laws and ordinances, from time to time, to bind all persons who are licensed to keep hackney-coaches, the renter or renters of such licences, and drivers of such coaches, and to annex such reasonable penalties, as the said commissioners in their discretion shall think fit, so as such orders, by-laws or ordinances, be made agreeable to the true intent and meaning of this act, and the former acts concerning hackney-

The commissioners for putting in execution the act 9 Ann. c. 23. may make by-laws, &c. to bind the keepers, &c. of hackney-coaches.

hackney coaches, and be for the better putting in execution thereof, and for the good government and regulating the persons licensed to keep coaches, and the renters of such licences, and drivers of such coaches, and so as they do not contain any thing repugnant to the laws of this realm; the said by-laws to be approved and put in execution, as in and by the said recited act is directed.

II. And be it further enacted by the authority aforesaid, That if any hackney-coachman or driver shall refuse to go at, or shall exact more for his hire than according to the said recited act, or by-laws made pursuant thereto, shall be limited and appointed, he shall for every such offence forfeit a sum at the discretion of the commissioners authorized to put the said act in execution, or the major part of them, not exceeding three pounds nor under ten shillings, the said offence or offences to be determined, and the said penalties and forfeitures to be recovered, levied and applied, as in and by the said recited act is directed concerning the forty shillings penalty for the offences aforesaid.

Penalty for refusing to go at or exacting more for his hire, than according to the said act.

9 Ann. c. 23.

III. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of June, no person or persons shall presume to stand, ply or drive for hire, with any coach whatsoever, hearse or coach-horses, or shall let to hire any mourning-coach or coach-horses, to wait or attend on any funeral within the cities of London and Westminster, or suburbs of the same; or within the parishes or places comprized within the weekly bills of mortality, except such person or persons who are or shall be licensed by the said commissioners, pursuant to the before-mentioned act, That every person and persons so offending shall for every such offence forfeit the sum of five pounds, the said offence to be determined, and the said penalty to be recovered, levied and applied, as in and by the said recited act is directed concerning the penalty for driving an hackney-coach for hire without licence within the places aforesaid.

None but persons licensed shall ply, &c. in London, &c. on forfeiture of 5 l.

IV. And whereas of late it has been the common practice of undertakers of funerals to hire gentlemen's coaches and horses of their servants, without the knowledge and consent of their masters, to wait and attend on funerals, to the prejudice of the owners of such coaches and horses, and greatly to the detriment of the persons licensed to keep coaches and horses to let to hire within the places aforesaid: and whereas 'tis difficult to prove any such hiring of such persons by the undertakers, for that 'tis a matter privately transacted between themselves, and a certain common price (known between the parties) is constantly paid though no agreement made: be it therefore further enacted by the authority aforesaid, That if any person shall drive a mourning-coach to any funeral, except the same shall have a number fixed on the fore-standard of such coach or hearse, or in some other convenient place to be appointed by the commissioners, shewing it to be a licensed coach or hearse to be let to hire, or except the same shall be the coach of some person of quality or gentleman's coach attending the master or mistress, or any of his, her or their family; and if information shall be given to the said commissioners of such fact, it shall and may be lawful for

Mourning coaches shall not be driven to funerals, except they have a number, or gentlemen's coaches, attending the master, &c.

the commissioners to summon the party driving such coach or hearse before them, and on default of such party or parties appearing on such summons before the said commissioners, the commissioners are hereby impowered to proceed against him or them; and although no express hiring shall be proved, yet unless such party or parties shall appear and prove a previous order or command from the owner of such coach or coach-horses to attend at such funeral, it shall be deemed and adjudged a driving for hire, and the said party shall forfeit for such offence the sum of five pounds, to be recovered of the driver of such coach, hearse or horses, or the undertaker of such funeral, and to be levied and applied as in and by the said recited act is directed concerning the driving an hackney-coach for hire without licence.

on forfeiture
of 5 l.

Persons prosecuted may plead the general issue, and shall have double costs.

V. And be it further enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this act, he or they shall and may plead the general issue, and give this act, and the special matter proper for his defence in evidence; and if upon a trial a verdict shall pass for the defendant or defendants, or judgment shall be given against the plaintiff or plaintiffs upon demurrer, or the plaintiff or plaintiffs be nonsuited, discontinued or forbear prosecuting their said actions, then such defendant and defendants shall have double costs to him or them awarded against such plaintiff or plaintiffs, for which costs he shall have such remedy as in other cases where costs are by law given to defendants.

No Certiorari.

VI. Provided also, and be it enacted, That no writ or writs of *Certiorari* shall supersede execution, or other proceeding, upon any order or orders made by the said commissioners, in pursuance of this act; but that execution and other proceedings shall and may be had and made thereupon; any such writ or writs, or allowance thereof notwithstanding.

Aldermen, &c. in London may inflict the like penalties as the commissioners.

VII. And be it further enacted, That it shall and may be lawful for the aldermen of every ward of the said city within his ward, and every justice of peace within his jurisdiction, in the said cities and counties, to inflict the like penalties, and to levy the same in the same manner, for any offence or offences contrary to this act, within any the places aforesaid, as the commissioners above-mentioned have power to inflict and levy upon any such offenders, as aforesaid; provided that no person be punished twice for the same offence.

After June 24. 1716. No carter, &c. shall ride on his cart, &c.

VIII. And whereas, through the negligence of carters, draymen, carmen, and waggoners, riding upon their carts, drays, cars, and waggons, in the streets of London and Westminster, the borough of Southwark, and other streets within the weekly bills of mortality, aged and other persons, and children, are frequently maimed, wounded, and killed: for preventing such mischiefs for the future, be it enacted by the authority aforesaid, That if any carter, drayman, carman, waggoner, or other person, driving any cart, dray, carr, or waggon, in or through any the streets or lanes aforesaid, shall after the said

wenty fourth day of *June* one thousand seven hundred and sixteen, ride upon such cart, dray, cart, or waggon, not having some other person or persons on foot to guide or conduct the same, every such offender being thereof convicted before the aldermen of the ward, or one or more justice or justices of the peace for the city or county where the offence is committed, by the oath of one or more credible witness or witnesses, shall for every offence forfeit the sum of ten shillings, to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of such alderman, or justice or justices of the peace, rendering the overplus to the owner; one moiety of the said forfeiture to be to the informer, and the other moiety to be to the use of the poor of the parish or place where such offence is committed; and in default of payment of the said forfeiture the person or persons so offending, to be sent by such alderman, or justice or justices of the peace, to the house of correction, there to be kept to hard labour for the space of three days.

In default of payment to be sent to the house of correction for three days.

IX. Provided always, That nothing herein contained shall extend to deprive or take away from the mayor, commonalty, and citizens of *London* and governors of *Christ's Hospital*, any power or authority they have to punish any the offences aforesaid, which shall be committed by any persons using or driving any cart, dray, carr or waggon, within the city of *London*, and any of the offenders therein, in such sort and manner as they now usually do, such offender not having been before punished for the said offence by virtue of this act.

This act shall not take away the power of the mayor of *London*, &c.

Anno Regni GEORGII I. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, tertio.

AT the parliament begun and holden at Westminster, the seventeenth day of March, Anno Domini one thousand seven hundred and fourteen, in the first year of the reign of our sovereign Lord George by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. and from thence continued by several prorogations to the twentieth day of February one thousand seven hundred and sixteen; (a) being the second session of this present parliament.

(a) In the record is added, and further his Majesty's

continued by adjournments till the 15th day of July in the third year of his Majesty's reign.

CAP. I.

An act to enable his Majesty effectually to prohibit or restrain commerce with Sweden. EXP.

CAP. II.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

Penalties against the act
1 Geo. 1. stat.
2. c. 47. where
to be sued for.

L. AND whereas by an act of the first year of his Majesty's reign intituled, An act for the more effectual and exemplary punishment of such persons as shall seduce soldiers to desert, being papists, shall enlist themselves in his Majesty's service in Great Britain or Ireland, or in the islands of Guernsey or Jersey it is enacted, That any person or persons whatsoever, who should directly or indirectly persuade or procure, or endeavour to persuade or procure any soldier or soldiers, in the service of his Majesty, or his heirs or successors, to desert, such person or persons so offending and being thereof lawfully convicted, should forfeit the sum of five pounds: now be it enacted, That for such offences as shall be committed against the said recited act, within that part of Great Britain called England, the penalties thereby enacted shall be sued for and recoverable in any of his Majesty's courts of record at Westminster; and for such offences against the said act, which shall be committed in that part of Great Britain called Scotland the same shall be sued for and recoverable in his Majesty's court of Exchequer in Scotland; and for such offences against the said act, as shall be committed in Ireland, the same shall and may be sued for and recoverable in any of the four courts at Dublin; any thing in the said recited act to the contrary thereof in any wise notwithstanding.

CAP. III.

An act for granting an aid to his Majesty by a land-tax in Great Britain, for the service of the year one thousand seven hundred and seventeen. 3s. in the pound. E.X.P.

CAP. IV.

An act for continuing the duties on malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventeen; and to authorize allowances to be made to certain receivers; and to obviate a doubt concerning goods imported from the islands of Jersey, Guernsey, Sark, and Alderney; and to ascertain the duties upon sheep skins and lamb skins; and to prevent frauds in the duties upon starch; and for making forth duplicates of Exchequer-bills, lottery tickets, and orders, lost, burnt or destroyed, and for enlarging the time for adjusting claims in several lotteries; and for preventing frauds in the duties on low wines and spirits carried coastwise.

For the application of the monies arising from this act,
Vide infra, c. 7.
sect. 41.

III. AND whereas it has been thought necessary heretofore, for the service of the publick, That the lord treasurer, or commissioners of the treasury for the time being, should make allowances to several receivers general of land taxes and duties on houses and marriages, for their extraordinary charges in bringing up the money, over

over and above the poundage allowable by the respective acts of parliament for the said taxes and duties, upon reports made to them by the proper officers for that purpose, but by reason the monies out of which such allowances were usually paid are now appropriated, many have incurred the penalty of paying ten pounds per centum per annum interest, by virtue of the act for laying duties on malt, and other things, for the service of the year one thousand seven hundred and sixteen, without any regard had to such allowances, whereby divers receivers are rendered incapable of passing their accounts: for redress whereof, be it further enacted by the authority aforesaid, That the lords commissioners of the treasury, or any three or more of them now being, or the lord high treasurer, or any three or more of the commissioners of the treasury, for the time being, are hereby impowered to cause such sums of money as he or they, upon due consideration of such reports made or to be made by the proper officers for that purpose, shall judge to be just and reasonable, to be paid or allowed, from time to time, to such persons as have been, are or shall be receivers, their sureties, executors, administrators, or assigns respectively, out of the arrears remaining in their respective hands, without charging any of them with interest, after the rate of ten pounds *per centum*, for so much as such allowances shall amount unto; and the several auditors are hereby required to allow the same, on passing their respective accounts, upon such warrant or warrants as shall be signed by any three or more of the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being.

1 Geo. 1. stat.
2. c. 36. l. 4.

Treasury to make allowances to receivers for extraordinary charges,

without charging them with 10 l. per cent. interest,

IV. *And whereas some receivers of such taxes and duties, as aforesaid, their executors, administrators, or sureties, to avoid the extreme rigour of the law, and the said penalty inflicted by the said last mentioned act, have, with great difficulties, raised monies and cleared their accounts, though the just allowances for their extraordinary charges have not been made to them:* be it therefore enacted, That so much as the said commissioners of the treasury, or any three or more of them, or the lord high treasurer for the time being, shall judge reasonable upon such report or reports, as aforesaid, to be allowed to such receivers as have already cleared their accounts, shall and may be paid to them respectively out of any arrears of any land-tax or land-taxes which are or may be recovered and brought into the Exchequer, and shall there remain after all loans registred thereupon, and the interest thereof shall be satisfied or transferred for satisfaction; any other law or statute to the contrary notwithstanding.

and to such as have already cleared their accounts.

V. *And whereas the inhabitants of the islands of Jersey, Guernsey, Sark, and Alderney, have always been permitted and allowed to import into England, any goods, wares, and merchandizes of the growth, produce, or manufacture of those respective isles, upon certificates from the respective governors, lieutenant or deputy governors, or commanders in chief, for the time being, and oaths before the magistrates of the said islands of Jersey and Guernsey respectively, that the same were of the growth, produce, or manufacture of the said islands, or either of them, without paying any customs, subsidies,*

Goods of the
produce of
Jersey, &c. to
be imported
duty free.
By 5 Geo. 1.
c. 18. sect. 11.
*Salt imported
from these
islands shall
pay as other
foreign salt.*

Bonds and se-
curities dis-
charged;

But foreign
goods, &c. to
pay duty.

Sheep skins
and lamb skins
to pay only
five farthings
per pound.
9 Ann. c. 11.
10 Ann. c. 26.

or duties for or in respect thereof: and whereas some doubt both of late arisen, whether, according to some late laws now in force, the same may be still continued: now for removing the said doubt, and encouraging the said inhabitants to continue that steady and firm loyalty and fidelity to the crown of Great Britain, which they have formerly and constantly shewn to the crown of England, and for their better support; be it declared and enacted by the authority aforesaid, That the said inhabitants shall and may (with and under such certificates and oaths, as aforesaid) import into any lawful port of Great Britain, any goods, wares, and merchandizes of the growth, produce, and manufacture of the said islands, or either of them, without paying any customs, subsidies or duties, for or in respect thereof (except such excise or other duty as is now, or shall hereafter, for the time being, be due and payable for the like goods of the growth, produce and manufacture of Great Britain); any law or statute to the contrary in any wise notwithstanding.

VI. *And whereas upon the aforesaid doubt, whether the goods, wares, and merchandizes of the growth, produce, and manufacture of the said islands might still be imported into Great Britain custom-free, several bonds with securities have been lately taken for answering the duties demanded for the same, unless discharged from the said duties by act of parliament, the said bonds are hereby declared null and void, and the said securities discharged from all prosecutions for the same.*

VII. Provided always, and it is hereby declared and enacted by the authority aforesaid, That nothing in this act contained, shall exempt, or be construed to exempt, any goods or commodities of the growth, product, or manufacture of any foreign nation or country, which may lawfully be imported into the said islands, or such foreign goods or commodities as shall or may be in part or fully manufactured in the said islands by the people thereof, from payment of such customs, duties, or other impositions on the importation of the same, from any of the said islands into Great Britain, as are or shall be due and payable for goods and commodities of the like kinds imported into Great Britain, from such foreign nation or country of which the said goods are of the growth, product, or manufacture; any law, custom, or usage to the contrary notwithstanding.

XIII. *And whereas some doubts have arisen upon certain clauses in the two acts of the ninth and tenth years of Queen Anne, for the laying certain duties upon hides and skins, whether sheep skins and lamb skins, being first dipped and steeped in the tanner's worze made of the bark of trees or shomack, and afterwards tawed and dressed in allom and salt, or meal, should be charged with the duty of six farthings or five farthings for every pound weight thereof: it is hereby enacted and declared, That all sheep skins and lamb skins tawed and dressed, or made into leather, or which shall hereafter be tawed and dressed, or made into leather, in allom and salt, or meal, shall be rated and liable to pay five farthings only for every pound weight averdupoize, and so proportionably for every greater*

or lesser quantity, although such sheep skins and lamb skins so tawed and dressed, or made into leather, in allom and salt, or meal, may have been or shall be dipped or steeped in the tanner's wooze made of bark of trees or shomack before such tawing or dressing as aforesaid; any thing in the said acts or in any other act contained to the contrary notwithstanding.

XIV. *And whereas starch made beyond the seas, and imported into this kingdom, is by law subject to the payment of custom and other duties, and starch made in this kingdom is made liable to the payment of several duties by way of excise, to evade the payment whereof several considerable quantities of starch ground into powder have of late been fraudulently imported from parts beyond the seas, under the denomination of hair-powder, to the great prejudice of the revenue and the ruin of the starch-makers of this kingdom; and such powder being not liable to pay on the importation thereof much above one twentieth part of the custom and duties which starch is liable unto: for preventing whereof for the future, be it declared by the authority aforesaid, That all hair-powder made of starch, or other powder that will serve for the same uses as starch, shall, on the importation thereof, after the twenty seventh day of May one thousand seven hundred and seventeen, be subject and liable to the same or the like several and respective duties, as foreign starch on the importation thereof is liable unto; and such powder so to be imported shall be entitled to the like drawback upon exportation, and be collected or levied with such allowances, and under such penalties and forfeitures, and in such manner and form, as is directed and prescribed by the laws now in force relating to the collection of his Majesty's customs and other duties upon starch.*

After May 27, 1717, all hair-powder imported to pay as foreign starch.

XVII. *And whereas several persons who privately brew, make and distil great quantities of low wines and spirits, of which no entries are made with the proper officers of excise of the respective divisions and places where the same are so brewed, made or distilled, nor any duties paid for the same, do privately convey the same on board ships or other vessels in several ports of this kingdom, and carry the same coastwise to other parts of this kingdom, and there sell the same, whereby his Majesty is very much defrauded in his duties on the said commodities, and the fair dealers in the said commodities very much prejudiced in their trade; for remedy whereof, be it further enacted by the authority aforesaid, That from and after the fifth day of June one thousand seven hundred and seventeen all low wines or spirits, which shall be brought by sea coastwise from any port or place in this kingdom to any other port or place in this kingdom, without a certificate from the proper officer of excise of the respective divisions and places where the same were brewed, made or distilled, that the duty of such low wines or spirits so brewed, made or distilled, hath been paid (which certificate shall be given on demand without fee or reward) shall be forfeited and lost, and shall and may be seized by any of the officers of the customs or excise of the port or place where the same shall be so brought in; the said forfeiture to be sued for, recovered,*

Clause for preventing frauds in the duties on low wines and spirits carried coastwise.

recovered, determined and mitigated by the same ways, means and methods, as any penalty or forfeiture may be sued for, recovered, determined and mitigated by any of the laws of excise, and to be distributed, one moiety to his Majesty, his heirs and successors, and the other moiety to the person or persons that shall sue or inform for the same.

C A P. V.

An act for continuing the duty of two pennies Scots, or one sixth part of a penny sterling, on every pint of ale and beer that shall be vended or sold within the city of Edinburgh and privileges thereof, for the benefit of the said city, and for discontinuing the payment of the dues commonly called the petty-port customs at Edinburgh, during the continuance of this act.

This act explained by

1 Geo. 2. stat. 2. c. 22.

Continued by

9 Geo. 1. c. 14.

See 26 Geo. 2. c. 36.

WHEREAS the city of Edinburgh, by being the metropolis and seat of the government of Scotland, was subject to all the vicissitudes and changes of the state, and particularly has, ever since the reformation, been remarkably zealous in supporting and defending the protestant interest, and thereby involved in great debts above what the common revenue of the town could discharge; therefore their late majesties King William and Queen Mary, with consent of the estates of parliament, by an act passed in the parliament of Scotland on the thirteenth of June one thousand six hundred and ninety three years, did give and grant to the said town of Edinburgh and community thereof, and to the magistrates and town council of the same, and their successors in office, for their use and behoof, the imposition of two pennies Scots, (over and above the King's annexed excise and additional excise imposed in that session of parliament) upon the pint of all ale and beer, either brewed, or brought in, or vended, tapped and sold within the said town and suburbs, and liberties thereof; viz. Canongate, South and North Leiths, Westport, Potteraw and Pleasants, and the other pertinents, to be paid to the said town and magistrates, and council thereof, by the brewers, vintners, sellers or tapsters of the said ale or beer, during the space of fifteen years and further, not exceeding the space of thirty years, beginning from the first day of July one thousand six hundred and ninety three, and to be paid, uplifted and gathered weekly, monthly and quarterly, or other ways, as the magistrates and town-council should think fit to prescribe and order; excepting only from the said act all such ale and beer as should be brewed in the country without the liberties of the burgh by heretors on their own lands, and brought in by them (they inhabiting for the time within the town) to be consumed for the use of themselves and their families only; and also excepting all ale and beer vended within the precincts of Holy-Rood House and castle of Edinburgh from the said imposition: and whereas since the union of the two kingdoms, there hath been a gradual decrease of the revenue of the said town, and there are several publick works (which of late years have been much neglected) necessary to be carried on and done for the service of the said town, which will cost a very considerable sum of money, and the said town is much in debt (part of which was occasioned

by the late rebellion) and the said debts will, at the expiration of the said act, be so much increased, that the money arising by the said imposition will fall very short of discharging of the same: and whereas it is necessary to enlarge the harbour of Leith and deepen the channel thereof, and also to build and endow two new churches, and make provision for the poor of the said town, which are now become very numerous: wherefore your Majesty's most dutiful and loyal subjects, the provost, magistrates and council of the city of *Edinburgh*, in behalf of themselves and the community of the said city, do most humbly beseech your Majesty that it may be enacted: and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That such and the like rates and duties, and imposition by the act aforesaid, laid, granted and imposed upon ale and beer brewed, brought in, vended, tapped and sold as aforesaid, within the said town of *Edinburgh* and suburbs and liberties thereof, (except as in the said act is excepted) shall, from and after the expiration of the term by the said act granted, be further continued, raised, levied, collected, paid and made payable to the provost, magistrates and council of the said city of *Edinburgh* for the time being, and their successors, for the use and behoof of the said town, for and during the full term of nineteen years, and by the same means and methods, and by and under such rules and directions, and with such exceptions, and under the same penalties and forfeitures and powers, as are prescribed, mentioned and expressed in the act aforesaid; and that the said act, and every article, rule, clause, matter and thing therein contained, shall be of full force and effect to all intents and purposes, for raising, collecting, securing, disposing, accounting for and levying the same, during the said term of nineteen years, as fully as if the same were particularly and at large repeated and re-enacted in the body of this present act.

II. And whereas by the said in part recited act of the parliament of Scotland, two of the lords of session, with two of the parliament-men for the shires of *Edinburgh* and *Haddingtown*, were to overlook and controul the management of the monies arising by the said act: now for the better attaining the ends hereafter mentioned, be it further enacted, That the lords of session shall, and they are hereby authorized to nominate and appoint two of their own number, and the barons of the Exchequer one of their number, the sheriffs of the shires of *Edinburgh*, *Linlithgow* and *Haddingtown* are hereby authorized and required to summon the heretors and freeholders of the respective shires to meet annually, to the end that each shire may elect and choose two of their number; the first of which elections by the lords of session, barons of Exchequer, and by the heretors and freeholders of the shires of *Edinburgh*, *Linlithgow* and *Haddingtown*, shall be made on the first *Tuesday* of *November* one thousand seven hundred and seventeen, and annually on the second *Tuesday* of *June* thereafter; and the persons so elected and chosen, together with the representatives

The rates and duties imposed by the act passed in Scotland, June 30, 1693, upon ale, &c. sold in *Edinburgh*, &c. continued for 19 years, after the expiration of the term granted by the said act, and to be raised, &c. under the same penalties, &c.

Overseers appointed to overlook and controul the monies arising by this act,

who may prosecute any persons for mismanagement.

Times when they shall meet.

Have power to adjourn themselves.

The magistrates of Edinburgh to lay before them an account of the debts of the town.

The overseers empowered to make rules, by-laws, &c.

The magistrates, &c. of Edinburgh may assign the duties as a security for money borrowed.

How the said money shall be applied.

representatives in parliament for the time being for the said shires of *Edinburgh, Linlithgow and Haddingtown*, are hereby impowered and authorized to overlook and controul the management of the monies to arise by this act, to aid and concur in the several cases after mentioned: and in case they shall find any mismanagement or misapplication of the monies arising or to arise by this act, or any other abuse or mismanagement of or concerning the same, they the said overseers, or any two or more of them, may sue and prosecute the magistrates or others concerned in the abuse or mismanagement for redress and reparation, in the terms and under the penalties contained in the aforesaid act of the parliament of *Scotland*; and the first meeting of the said overseers (if not sooner called together at the request of the magistrate of *Edinburgh*) shall be at the town-council chamber at *Edinburgh*, upon the second *Tuesday* of *November* one thousand seven hundred and seventeen, and they shall have power to adjourn themselves from time to time, and one anniversary meeting shall be had upon the third *Tuesday* of *July* yearly, for one year longer than the continuance of this act.

III. And be it further enacted, That at the first meeting of the said overseers the magistrates of *Edinburgh* shall lay before the said overseers, or any three or more of them, an account of all the debts of the town, other than those debts provided for, and to be discharged by the duty arising by the former act of parliament, as they stand on the first day of *July* one thousand seven hundred and eighteen, to be entred in a book to be kept for that purpose; and at the said first meeting of the overseers, or any other subsequent meeting, they the said overseers, or any three or more of them, are hereby impowered and authorized to make and settle such rules, directions and by-laws, for the better management of all the different matters and things hereafter mentioned, and for controuling the same, as to them shall appear to be necessary, consistent with this act and the laws of *Scotland*.

IV. And for as much as the duty by this act granted will not at present raise such a stock or sum of money as may be sufficient for the purposes in this act contained: be it further enacted by the authority aforesaid, That it shall and may be lawful for the magistrates and council of *Edinburgh*, by any writing under their hands and seals, to assign over the duty hereby granted, or any part thereof, for any term for which the same is hereby granted, or any part of the said term, as a security for any sum or sums of money by them to be borrowed for the purposes in this act mentioned, and none other; which said monies so borrowed, and also what shall arise by the said duty, shall be applied and disposed of to the uses following, viz. for renewing the water-pipes and helping the conduits which carry water to the town; for enlarging the harbour and deepning the channel of *Leith*; for building a new key at *Leith*; for settling an annual fund of three hundred pounds *per annum* towards employing and maintaining the poor of *Edinburgh* and adjacent counties, which shall commence and grow due after the first day of *July* one thousand seven

seven hundred and eighteen ; for settling a salary upon the professor of law in the university of *Edinburgh*, and his successors in office, not exceeding one hundred pounds *per annum*, to commence and grow due from and after the eleventh day of *November* one thousand seven hundred and seventeen ; for rebuilding the city walls, and causing the highways leading to the city ; and for building two new churches and settling stipends for the ministers ; and in aid of the deficiency of the present ordinary revenue of the town, a sum not exceeding four hundred and fifty two pounds annually : and the said magistrates shall, and they are hereby required to lay before the overseers an account of all the debts contracted upon account or by reason of any the matters and things aforesaid, together with the agreements, covenants and accounts relating thereunto ; which said account of debts shall be fairly entred in a book to be kept for that purpose, and an entry shall be made yearly and every year, till the purposes in this act are completed and satisfied ; and on the third *Tuesday* of *July*, which shall be in the year of our Lord one thousand seven hundred and twenty four, a full and perfect state of all the debts incurred and then grown due to the first day of *July* in the said year, shall be made up, and out of the monies arising by the said imposition hereby continued, the interest of the debt then due from the said town shall be paid, and all the annual payments before-mentioned, together with two thousand marks *Scots* to two *French* ministers, and what shall remain shall be applied for paying off part of the capital debt, and so be applied yearly till all the capital debt due and unsatisfied before the first day of *July* one thousand seven hundred and twenty three, is paid off and discharged ; and if any more monies shall arise by the imposition hereby continued, than shall be found necessary to pay off the debts aforesaid, and discharge the annual payments aforesaid, that such overplus shall be laid out and applied for carrying on such publick works as shall be found necessary for the service of the said town, as the same shall be settled and agreed to by the magistrates and majority of the overseers for the time being : which overseers shall be summoned by the magistrates, or any three or more of them, to be present at all agreements relating to assignments or farms made of the said imposition of two penny *Scots* on the pint of all ale and beer *Scots* measure by this act continued.

The magistrates to lay before the overseers an account of all debts contracted.

Overplus, how to be applied.

V. Provided, That from and after the first day of *July*, which shall be in the year of our Lord one thousand seven hundred and twenty three, it shall not be in the power of the magistrates, and they are hereby restrained from borrowing any monies, so as to increase the debt of the said town, during the term for which this imposition is granted, for or upon any reason or purpose whatsoever, unless it shall be with the consent and approbation of the majority of the overseers hereby appointed, which consent shall be first had under their hands, or under the hands of three or more of them.

Provido, that the magistrates shall not borrow any money after July 1, 1723.

VI. Provided always, and be it further enacted, That of the number of poor to be employed and maintained out of the year-ly

How the poor shall be presented, and

their vacancies supplied.

by fund of three hundred pounds intended for that purpose, one fourth part of that number shall be presented, and their casual vacancies supplied by the representatives in parliament and two heretors elected by the freeholders of the shire of *Edinburgh*; and another fourth part of the number of poor to be employed and maintained as aforesaid shall be presented, and their vacancies supplied by the representative in parliament and two heretors elected by the freeholders of *Haddington* shire.

Annual payments shall continue till July 1, 1742.

VII. And it is hereby further enacted and declared, That the annual payments with which the town is charged by this act, shall continue and endure only till the first day of *July*, which shall be in the year of our Lord one thousand seven hundred and forty two, and no longer; any thing in this act or any other act to the contrary notwithstanding.

The imposition to be raised, &c. as his Majesty's excise.

VIII. And for the further explaining the powers granted to the said magistrates of *Edinburgh* for their uplifting and levying the said imposition within the town of *Edinburgh* and privileges thereof; be it enacted by the authority aforesaid, That the said imposition be raised, levied, collected and paid in the same way and manner as his Majesty's excise is raised and levied, and the charges made by the officers of his Majesty's excise for uplifting and collecting shall be the rule for uplifting and collecting the said imposition; and the commissioners of excise in *Scotland* for the time being are hereby authorized and directed to allow the said magistrates or their collectors to take out true and exact copies of the said charges given up by the officers of excise upon the said brewers liable in payment of the said imposition; the said magistrates and town-council being always obliged to discount and allow to the brewers the same deductions and allowances which are granted to the brewers by the commissioners of excise.

The commissioners shall allow the magistrates to take out copies of the charges.

IX. And whereas there have been sundry debates and difficulties arisen betwixt the magistrates, their farmers, assignees and collectors, and the brewers, since gauging took place in *Scotland*, in relation to the method of collecting the said imposition now payable by the brewers, by virtue of the aforesaid act passed in the parliament of *Scotland*; for preventing whereof, and further explaining of the said powers, and for avoiding of oaths, and keeping a just equality amongst the brewers, and preventing their being overcharged in raising and levying the said imposition, for the term yet to come by the said act passed in *Scotland* imposed; be it further enacted by the authority aforesaid, That from and after the first day of *July* one thousand seven hundred and eighteen, the said imposition shall be ascertained, levied and collected, conform to the charges to be given by the officers of excise, upon the brewers liable in payment thereof; and the commissioners of excise in *Scotland* are hereby authorized and directed to allow copies thereof to the said magistrates, or their assignees, they giving the same deductions and allowances to the brewers as are granted to them by the said commissioners of excise.

How the imposition shall be ascertained, &c.

After July 1, 1723, all per-

X. Provided nevertheless, That from and after the first day of *July* one thousand seven hundred and twenty three, all persons

sons living in the adjacent counties, or elsewhere, who are not comprehended in nor subjected by this act to the aforesaid imposition of two penny Scots on the Scots pint of ale and beer, may import their ale and beer to the said city of *Edinburgh*, or to any place within the privileges of the said city, they paying the said duty for all the ale and beer so imported only, at such time or times, and in such place or places, as the brewers living within the said town or privileges thereof are used and accustomed to pay the same, subject to the penalties mentioned in the said act hereby continued, in case of neglecting or refusing to pay the said imposition.

XI. *And whereas it will be for the ease of all such persons as live in the neighbourhood of and have commerce with Edinburgh, that they should, during the continuance of this act, be freed from and released of certain dues, paid and commonly known by the name of petty-port customs payable at the ports of the city of Edinburgh: be it further enacted, That from and after the first day of July one thousand seven hundred and twenty three, the said dues and petty customs shall be discontinued and cease, during the continuance of this present act, and no longer: any thing in this act or any other act of parliament, or any usage or custom to the contrary notwithstanding.*

After the said 1st of July petty customs shall cease.
2 Geo. 2. c. 22.

CAP. VI.

An act for laying a duty of two pennies Scots, or one sixth part of a penny sterling, upon every pint of ale or beer that shall be vended or sold within the town of *Dumfries*, and privileges thereof, for paying the debts of the said town, and for building a church, and making a harbour there.

Continued by 10 Geo. 2. c. 74.

After July 1, 1717. two pennies Scots shall be laid on every Scots pint of ale and beer, brewed, &c. in *Dumfries*. Provost, &c. of *Dumfries* appointed trustees for the purposes in this act. Trustees may convey the duty as a security for money borrowed. Ale and beer not paying the duty, shall be confiscated. Differences to be determined by the King's gauge. Trustees may farm the duty.

CAP. VII.

An act for redeeming the yearly fund of the South-Sea company (being after the rate of six pounds per centum per annum) and settling on the said company a yearly fund after the rate of five pounds per centum per annum redeemable by parliament; and to raise for an annuity or annuities at five pounds per centum per annum, any sum not exceeding two millions, to be employed in lessening the national debts and incumbrances; and for making the said new yearly fund and annuities to be hereafter redeemable in the time and manner thereby prescribed.

I. **M**OST gracious Sovereign, whereas the capital or joint stock of the governor and company of merchants of Great Britain, trading to the South-Seas and other parts of America, and for encouraging the fishery, being adjusted and settled pursuant to several

Further provisions relating to this act. 3 Geo. 1. c. 3.

1 Geo. 1. stat.
2. c. 21.

acts of parliament in that behalf, doth amount to the sum of ten millions; and in respect thereof a yearly fund of six hundred thousand pounds hath been and is payable to the said governor and company after the rate of six pounds per centum per annum, besides a yearly sum of eight thousand pounds for or towards the charges of the said governor and company for management, subject nevertheless to a proviso contained in one act of parliament of the first year of your Majesty's reign, intituled, An act for enlarging the capital stock and yearly fund of the South-Sea company, and for supplying thereby eight hundred twenty two thousand thirty two pounds four shillings and eight pence to publick uses; and for raising one hundred sixty nine thousand pounds for the like uses, by sale of annuities upon divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty, whereby the said yearly sums of six hundred thousand pounds, and eight thousand pounds were redeemable upon one year's notice, which was to be given after the twenty fifth day of December one thousand seven hundred and sixteen, and upon payment as well of the said sum of ten millions, as of all arrears of the said yearly sums, in such manner and form as in the said proviso of redemption are prescribed: and whereas the said governor and company of merchants of Great Britain are willing and contented, in regard the common rate of interest for money is very much lessened under your Majesty's most auspicious government, to accept from and after the feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, one annuity or yearly fund of five hundred thousand pounds, being after the rate of five pounds per centum per annum for the said ten millions, together with the said yearly sum of eight thousand pounds to be continued to them for management, so as they may be satisfied the said yearly sums of six hundred thousand pounds and eight thousand pounds, until and for the quarter to end at the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, and so as the future payments of the said yearly sums of five hundred thousand pounds, and eight thousand pounds, may be secured to them from the said feast day, until the redemption thereof, according to the tenor and true meaning of this present act: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to ease the present burden of debts and incumbrances, and in due time the heavy taxes lying upon this kingdom, so far as is consistent with honour, justice and equity, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That the said governor and company of merchants of Great Britain trading to the South-Seas, and other parts of America, and for encouraging the fishery, or their successors, shall be fully satisfied, contented and paid in the first place, all such monies as are due and unpaid, or at any time or times on or before the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen inclusively, shall grow due and

South-Sea
company to be
paid in the first
place, all mo-
nies due or to
grow due on
24 June 1718,
on the yearly
fund of 600,
000 l. and
8000 l.

and remain unpaid, or be in arrear to them, for or upon the said yearly fund of six hundred thousand pounds, and the said yearly sum of eight thousand pounds, and either of them, out of the several revenues charged therewith, or by such other ways and means as by any former act or acts of parliament are provided or prescribed in that behalf.

II. And it is hereby enacted, That from and after the said feast of the nativity of Saint *John* Baptist one thousand seven hundred and eighteen, all payments of or upon the said yearly fund of six hundred thousand pounds, which from thenceforth should or might grow due or payable, shall cease and determine.

And afterwards the 600,000 l. per annum to cease.

III. And be it further enacted by the authority aforesaid, That the said governor and company of merchants of *Great Britain*, and their successors, (subject nevertheless to the proviso of redemption hereafter in this act contained in this behalf and none other) shall have, receive and enjoy, and be entitled by force and virtue of this act, to have, receive and enjoy the said yearly fund or sum of five hundred thousand pounds, and the said yearly sum of eight thousand pounds, which annual or yearly sums shall be and are hereby charged upon, and shall be paid and payable, from time to time, out of all and every the duties, impositions, additional impositions and revenues, and all proportional parts of them, or any of them whatsoever, which by an act made in the ninth year of the reign of her late majesty *Queen Anne*, intituled, *An act for making good deficiencies, and satisfying the publick debts; and for erecting a corporation to carry on a trade to the South-Seas, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering of seamen*, or by any other act or acts of parliament, or any clause or clauses contained in any act or acts of parliament now in force were charged or chargeable with the said former yearly fund of six hundred thousand pounds, and the said former yearly sum of eight thousand pounds, and either of them, or any part thereof; and shall be paid and payable to the said governor and company of merchants of *Great Britain*, and their successors for ever, at the four most usual feasts or days of payment in the year, that is to say, the feast of Saint *Michael* the archangel, the birth of our Lord Christ, the annunciation of the blessed Virgin *Mary*, and the nativity of Saint *John* Baptist, by even and equal portions; the first payment thereof to be made at the feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and eighteen; and that all the payments thereof shall be made out of the duties, impositions, additional impositions, revenues and proportional parts before-mentioned, with preference to all payments hereafter to be charged thereupon (the monies of the said yearly fund of six hundred thousand pounds, and of the said yearly sum of eight thousand pounds, which are or shall be due or in arrear at or before the said feast of the nativity of Saint *John* Baptist one thousand seven hundred and eighteen, always excepted and foreprized).

Company to have the yearly sum of 500,000 l. and 8000 l. out of the duties 9 Ann. c. 21.

Payable quarterly.

First payment at Mich. 1718.

IV. And whereas the said governor and company of merchants of Great Britain, to manifest their zeal for the publick service, by furnishing money towards lessening the said national debts and incumbrances, have proposed to advance to his Majesty any further sum or sums of money, not exceeding two millions, at such times and by such proportions at a time, as the commissioners of his Majesty's treasury, or any three or more of them now being, or the high-treasurer, or any three or more of the commissioners of the treasury for the time being, shall call for the same, to be employed for or towards the discharging or lessening the said national debts and incumbrances; so as such calls do not exceed in the whole the sum of two millions, and be all made on or before the twenty fourth day of December one thousand seven hundred and seventeen; and so as the said governor and company of merchants of Great Britain be not required at any one time to advance more than one fourth part of the said sum, and have fourteen days time at least for advancing each part of the same, which shall be called for; so as that for every sum so to be advanced for or upon account of the said sum not exceeding two millions, the said governor and company of merchants of Great Britain may have an annuity or sum after the rate of five pounds per centum per annum, to commence from the time or respective times of advancing the same, and to continue until the redemption of such annuity or annuities, according to the tenor of this present act in that behalf: now his Majesty's said dutiful and loyal subjects the commons of Great Britain in parliament assembled, in further prosecution of their desires to have the national debts and incumbrances lessened, do further humbly beseech his Majesty, That it may be enacted, and be it enacted by the authority aforesaid, That the said governor and company of merchants of Great Britain, and their successors, shall, and they are hereby enjoined and required to advance and pay into the receipt of his Majesty's Exchequer, to be employed for the purposes aforesaid, such sum and sums of money, not exceeding in the whole the sum of two millions, at such times and by such proportions at a time, as the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, by any writing or writings under his or their hands, to be delivered at the publick office of the said governor and company in London, call for and require; so as all such calls be made on or before the twenty fourth day of December one thousand seven hundred and seventeen; and so as they be not required at any one time to advance more than one fourth part of the said sum, and have fourteen days time between each payment, and after the delivery of every such writing for advancing of every such part as aforesaid; and in case the said governor and company of merchants of Great Britain shall make failure in any the said payments of monies so to be advanced, the money whereof such failure in payment shall be made, shall and may be recovered in his Majesty's name for the uses and purposes aforesaid, by action of debt or upon the case, bill, suit or information, in any of his Majesty's courts of record at Westminster,

South-Sea company to advance into the Exchequer such sums as the treasury shall call for, not exceeding 2,000,000 l. before 24 Dec. 1717.

5 Geo. 1. c. 3.

No call at one time for more than one fourth part, and 14 days notice.

Company not paying may be sued.

er, wherein no effoin, protection, wager of law, or more than one imparlance shall be granted or allowed; in which action, bill, suit or information it shall be lawful to declare, That the said governor and company of merchants of *Great Britain* are indebted to his Majesty the monies whereof they shall have made default in payment, according to the form of this statute, and have not paid the same, which shall be sufficient; and in and upon such action, suit, bill or information there shall be further recovered to his Majesty's use, against the said governor and company of merchants of *Great Britain*, damages after the rate of ten pounds *per centum per annum* for the monies so unpaid contrary to this act, besides full costs of suit; and the said governor and company of merchants of *Great Britain*, and their successors, and their capital stocks and funds, shall be and are hereby made subject and liable thereunto,

V. And be it further enacted by the authority aforesaid, That the said governor and company of merchants of *Great Britain*, and their successors, for every sum which they shall advance for or in part of the said sum of two millions, shall have, receive and enjoy, and be entitled, by force and virtue of this act, to have, receive and enjoy an annuity after the rate of five pounds *per centum per annum* for ever, subject nevertheless to the proviso of redemption herein after contained in that behalf; and that every such annuity after the rate of five pounds *per centum per annum* for the money so to be advanced, shall be charged upon, and shall be paid and payable, from time to time, out of the monies which shall, from time to time, arise by the aforesaid duties, impositions, additional impositions and revenues, and all proportional parts of them, and every or any of them, over and above so much as shall be sufficient to pay off and satisfy all the monies which shall at any time or times be grown due and incurred for or upon the said yearly sums of six hundred thousand pounds, and eight thousand pounds, until and for the quarter which shall end upon the feast-day of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen; and from thenceforth for or upon the said yearly fund of five hundred thousand pounds, and for and upon the said yearly sum of eight thousand pounds, and either of them; and that such annuity or annuities for such monies so to be advanced shall be paid and payable to the said governor and company of merchants of *Great Britain*, and their successors, in manner following, that is to say, the first payment or payments of such new annuity or annuities, after the rate of five pounds *per centum per annum*, shall be computed by the day, and satisfied from the day or respective days on which the said two millions, or any part or parts thereof, shall be advanced as aforesaid, until the quarterly feast-day or respective quarterly feast-days then next ensuing; and from thenceforth the same new annuity or annuities of five pounds *per centum per annum* shall be paid and payable at the four most usual feasts or days of payment in the year before-mentioned, by even and equal portions.

Company to have 5l. per cent. for so much as they advance.

Times of payment.

All the annual sums and arrearages, and the capital stock, to be free from taxes.

VI. And it is hereby enacted by the authority aforesaid, That as well the said annual fund of five hundred thousand pounds, and the said annual sum of eight thousand pounds, and the said annuity or annuities after the rate of five pounds *per centum per annum*, payable for the same two millions, or so much thereof as shall be advanced and paid by this act as aforesaid, as also all arrearages of the said yearly fund of six hundred thousand pounds, and of the said annual sum of eight thousand pounds, and every of them, and the capital stock or stocks which the said governor and company have or are to have in respect thereof, and such additional stock in money as they shall call in from their members for carrying on their trade, shall be at all times hereafter freed and exempt from all taxes, charges and publick impositions whatsoever, charged or to be charged thereupon by authority of parliament or otherwise; any law or statute made or to be made to the contrary notwithstanding.

Capital stock, &c. a personal estate,

VII. And be it enacted by the authority aforesaid, That the said capital stock of ten millions, and so much as is due or shall grow due for or upon the said yearly sum of six hundred thousand pounds, to be paid until and for the quarter to end at the said feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen; and the said yearly sums of five hundred thousand pounds, and eight thousand pounds, to be continued as aforesaid; and the said two millions, or such part thereof as shall be advanced, and the said annuity or annuities after the rate of five pounds *per centum per annum*, payable or to be paid for the same to the said governor and company of merchants of *Great Britain*, and their successors, and the share and interest of each and every particular member of and in the said capital stocks and funds, and every of them, shall be, and be adjudged, taken and accepted in construction of law and in all courts of law and equity whatsoever, to be a personal and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, interested therein or entitled thereunto, and not to the heirs of such person or persons; and shall not be liable to any foreign attachments by the custom of the city of *London* or otherwise; and that no governor, sub-governor, deputy-governor or member of the said company, by reason of his being a member of the said company, or of any matter or thing in this act contained, be now or at any time hereafter disabled from being or continuing, or from being elected or serving as a member of parliament; nor shall be or be adjudged liable to be a bankrupt within the intent and meaning of all or any the statutes made against or concerning bankrupts; any law, custom or usage to the contrary notwithstanding.

and not liable to foreign attachments. No member disabled from serving in parliament, or liable to bankruptcy.

Standing orders to be made forth for these annuities.

VIII. And for the better and more regular payment of all the monies intended by this act to be paid to the said governor and company of merchants of *Great Britain*, and their successors, (subject nevertheless to such redemption as aforesaid) an order or orders shall be signed by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the

the time being; and after signing thereof the same shall be firm, good, valid and effectual in the law, according to the purport and true meaning thereof, and of this act, and shall not be determinable by or upon the deaths or removal of any commissioner or commissioners of the treasury or high treasurer for the time being, or by or upon the determination of the power, office and offices of them, or any of them, nor shall any commissioners of the treasury, or high treasurer or under-treasurer for the time being, have power to revoke, countermand or make void such order or orders so signed as aforesaid.

IX. And for the more speedy payment of the monies which shall be due or payable thereupon, it is hereby declared and enacted, That weekly or otherwise, as monies of the said duties, impositions, revenues and proportional parts, or any of them, applicable to the payment of the said yearly funds, annuities or sums of money, or any of them, payable to the said governor and company as aforesaid, shall, from time to time, be brought into the receipt of the Exchequer for payment thereof, such monies shall and may be issued upon such order and orders for or towards discharging the said yearly funds, annuities and sums of money to grow due for or at the end of the quarter of the year in which such issues or payments shall be made, so as such weekly or other speedy payments do not exceed the sum of the quarterly payment which shall grow due for or at the end of such quarter respectively.

Orders to be made forth weekly for these annuities.

X. And for better securing to the said governor and company of merchants of *Great Britain*, and their successors, all the payments intended to be made to them by virtue or in pursuance of this act, it is hereby enacted by the authority aforesaid, That all and every the rates, subsidies, impositions, additional impositions and other duties and revenues whatsoever, and all proportional parts of them, or any of them, which were applicable to the payment and satisfaction of the said yearly fund of six hundred thousand pounds, and the said former yearly sum of eight thousand pounds, during the continuance thereof, are and shall be continued and be payable to his Majesty, his heirs and successors, for ever, for satisfying and discharging as well the said yearly fund of six hundred thousand pounds, and the said former yearly sum of eight thousand pounds, and all arrearsages of them, which are or shall be due at or before the said feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen as aforesaid, as also the said yearly fund of five hundred thousand pounds, and the said yearly sum of eight thousand pounds hereafter to be paid, and all and every such new annuity and annuities, after the rate of five pounds *per centum per annum*, for the said sum of two millions, or so much thereof as shall be advanced upon this act, and every of them, in the order, manner and form before in this act prescribed in that behalf, and subject to such redemption as aforesaid, according to the tenor and true meaning of this act; and that the same rates, subsidies, impositions and other duties, revenues and proportional parts before-mentioned, and every of them,

Former duties continued,

subject to redemption, and to be raised as by the former acts,

shall be raised, levied, collected and brought into the Exchequer in *England* for the same purposes, by and according to such rules, methods and directions, and with such drawbacks, repayments and allowances, and under such penalties, forfeitures and disabilities, as are prescribed by any act or acts of parliament now in force, or by any articles, clauses, matters or things therein contained or thereby referred unto for raising, levying, collecting or bringing in of the same, as fully and effectually as if the same acts, articles, clauses, matters and things, and every of them, were repeated and re-enacted in the body of this present act; and that all the monies which shall be brought into the receipt of the Exchequer of the said rates, subsidies, impositions, additional impositions and other duties and revenues, and all proportional parts of them, for the purposes aforesaid, shall be fairly and distinctly entred and registred in one or more book or books to be kept in the offices of the auditor of the receipt and clerk of the pells, severally for that purpose, to which all persons concerned, at all seasonable times, shall have free access without fee or charge.

and to be entered in a book in the Exchequer.

These duties appropriated for the uses of this act.

XI. And it is hereby also enacted, That all the monies of the said rates, subsidies, impositions and other duties and revenues and proportional parts of them, or any of them, which shall or ought to be brought into the receipt of the Exchequer for the purposes aforesaid, (except the necessary charges of raising, collecting, levying, issuing, paying and accounting for the same, and except such part thereof as by any former act of parliament is applicable to the repayment of loans still remaining unsatisfied, and to pay the interest of the same) shall be and are hereby appropriated, and shall be issued and applied to and for the payment and satisfaction of the said yearly fund of six hundred thousand pounds, and of the said former yearly sum of eight thousand pounds, due or to grow due at or before the said feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen, and to and for the payment and satisfaction of the said yearly fund of five hundred thousand pounds, from and after the said feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen, and the said growing yearly sum of eight thousand pounds, and to and for the payment of the said annuities after the rate of five pounds *per centum per annum*, hereafter to be acquired by virtue of this act, and every of them, in their due method and order before prescribed, according to the tenor and true meaning of this act, and without any fee or charge whatsoever to be paid by the said governor and company for the same, or any part thereof, but subject to such redemption as is herein after prescribed, and to none other use, intent or purpose whatsoever; and that the respective officers of the Exchequer, who shall make any delay in issuing or paying the same, or shall be guilty of diverting or misapplying any the said monies contrary to this act, for any such offence shall be forejudged from their respective offices or places, and be rendred incapable to serve his Majesty, his heirs or successors, in any office or employment of trust or profit whatsoever, and shall also be

Penalty on officers of the Exchequer diverting, &c. the monies.

be liable to pay double the value of any sum or sums of money so delayed to be paid, or so diverted or misapplied as aforesaid, to the said governor and company of merchants of *Great Britain*, and their successors; to be recovered by action of debt, bill, suit or information in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection or wager of law, or more than one imparlance shall be granted or allowed.

XII. And be it further enacted by the authority aforesaid, That if at any time or times the produce of the said rates, subsidies, impositions, duties and revenues and proportional parts of them, or any of them, hereby appropriated as aforesaid, shall be so low or deficient, as that the money arising thereby at the Exchequer shall not extend or be sufficient, according to this act, to pay and discharge, or to complete the payment at the end of any quarter of a year of all the money which shall be then due, as well for or upon the said yearly fund of five hundred thousand pounds, and the said yearly sum of eight thousand pounds, (besides any arrearages which shall be then due for or upon the said former yearly sums of six hundred thousand pounds, and eight thousand pounds) then and so often, and in every such case, the deficiency of any such quarter shall and may be supplied out of the overplus monies of the said duties and revenues arising in any subsequent quarter; and in default thereof by the space of half a year, then all and every such deficiency and deficiencies shall be supplied and made good, from time to time, by or out of the general yearly fund by another act of this session of parliament established or intended to be established for redeeming the duties and revenues now charged or chargeable in and by several lottery-acts of the ninth and tenth years of her said late Majesty's reign, and certain annual payments out of the hereditary excise in the said act of this session mentioned, or out of money to be raised at the Exchequer for purchasing an annuity or annuities, after a rate not exceeding five pounds *per centum per annum* for every such deficiency; which annuity or annuities shall, by virtue of this act, be charged on the said general yearly fund, and be payable and transferrable at the bank of *England*, as other annuities payable out of the said general yearly fund are intended by the said other act of this session to be payable and transferrable, until the redemption thereof by parliament.

XIII. Provided always, and it is hereby enacted by the authority aforesaid, That the said sum of two millions, or so much thereof as shall be called for and be actually advanced and paid by the said governor and company into the receipt of the Exchequer in pursuance of this act, shall be issued, applied and disposed towards the paying off and discharging the principal monies and interest after the rate of six pounds *per centum per annum*, now payable by the said lottery-acts, towards redeeming the several duties and revenues now chargeable therewith, and towards the redeeming of the said annual payments out of the hereditary excise, and to none other use, intent or purpose whatsoever; and that all and every deficiency and deficiencies of the said new annuity or annuities, after the rate of five pounds *per*

Deficiency of one quarter to be supplied out of the subsequent quarter,

and in default thereof for half a year, then to be supplied out of the general fund by another act of this session, &c.

3 Geo. 1. c. 7.
9 Ann. c. 6.
10 Ann. c. 19.

The 2,000,000 l. to be applied to pay off the principal and interest on the four lottery-funds, 9 & 10 Ann. and the annuities,

All deficiencies of the new *centum*

annuities to be made good out of the general fund, &c.

3 Geo. 1. c. 7.

centum per annum, payable to the said governor and company by virtue of this act, shall be supplied and made good, from time to time, when and as often as any such deficiency or deficiencies shall appear, out of the said general fund by the said other act of this session of parliament established or intended to be established as aforesaid, or out of the money to be raised at the Exchequer for purchasing an annuity or annuities after a rate not exceeding five pounds *per centum per annum* for every such deficiency; which annuity or annuities shall, by virtue of this act, be charged on the said general yearly fund, and be payable and transferrable at the bank of *England*, as other annuities payable out of the said general yearly fund are intended by the said other act of this session to be payable and transferrable, until the redemption thereof by parliament.

The surplus of the said duties disposeable by parliament.

See 5 Geo. 1. c. 3. sect. 1.

XIV. Provided also, and it is hereby further enacted by the authority aforesaid, That if at any time or times at the end of any quarter of a year (reckoning the quarters to end at the usual feasts above-mentioned) there shall be an excess or surplus of the monies brought into the Exchequer of the said rates, duties, impositions and revenues and proportional parts of them, or any of them, and such excess or surplus shall remain there, over and above the money then or before that time grown due, by or in pursuance of this act, for arrearages of the said yearly fund of six hundred thousand pounds, and of the said former yearly sum of eight thousand pounds, and for the said fund of five hundred thousand pounds *per annum*, and the said growing annuity of eight thousand pounds *per annum*, and for the said new annuity or annuities, after the rate of five pounds *per centum per annum*, to be payable upon this act and every of them, then and so often, and in every such case, such excess or surplus shall, from time to time, attend the disposition of parliament, and be applied according to act or acts of parliament in that behalf, and not otherwise; any thing herein contained to the contrary notwithstanding.

Company may call in money from their members.

XV. And for better enabling the said governor and company of merchants of *Great Britain*, and their successors, to raise money to be advanced for or in part of the said sum of two millions, or for carrying on their trade and other necessary occasions: it is hereby enacted by the authority aforesaid, That it shall and may be lawful to and for the said governor and company of merchants of *Great Britain*, and their successors from time to time, as they shall see cause, to call in, or direct to be paid from and by their respective members for the time being, proportionally according to their respective interest in the capital stock or stocks which do or shall belong to the said governor and company of merchants of *Great Britain*, or by opening their books of subscription, or by granting annuities redeemable by the said governor and company, and their successors, or by any other method, ways and means as they shall think proper, to raise any sum or sums of money, as in a general court of the said governor and company shall be judged necessary, and ordered to be called in; and that all executors, administrators, guardians and trustees shall

shall be indemnified in paying the money which shall be so called in; and in case any such member or members shall refuse or neglect to pay his, her or their share of the said money so called for, at the time or times appointed for that purpose, by notice inserted in the *London Gazette*, and fixed upon the *Royal Exchange* in *London*, it shall and may be lawful to and for the said governor and company of merchants of *Great Britain*, and their successors, not only to stop the share, dividend, annuity and profits, which shall from time to time become payable to such member or members so neglecting or refusing, of the funds, stocks, annuities or profits of the said governor and company of merchants of *Great Britain*, and to apply the same from time to time for or towards payment of the share of the money so called for, and which ought to have been paid by such member or members so neglecting or refusing, until the same shall be satisfied, but also stop the transfers or assignments of the share of every such defaulter, and to charge such defaulter and defaulters with an interest after the rate of ten pounds *per centum per annum*, for the money so by him, her or them omitted to be paid, until the payment thereof; and that the share and stock, shares and stocks of such defaulter and defaulters shall be liable to make good and answer the said monies so appointed to be paid, and the interest thereof as aforesaid; and in case the principal and interest as aforesaid shall be unpaid by the space of three months, then the said governor and company of merchants of *Great Britain*, or their successors, shall have power to sell so much of the stock or stocks of such defaulter or defaulters as will satisfy and pay the same, rendering the overplus to the proprietor, if any be; and the said governor and company of merchants of *Great Britain*, or their successors, in a general court, from time to time, when they shall judge their affairs will admit thereof, shall or may cause any sum or sums of money which shall be so called in, or any part thereof, to be divided and distributed to and amongst the then members of that corporation, according and in proportion to their respective interest in the capital stock or stocks of the same; any former law or statute, restriction or other matter or thing whatsoever to the contrary notwithstanding.

Members not paying their shares, company may stop their dividends, &c.

XVI. And for better enabling the said governor and company of merchants of *Great Britain* to raise money to be advanced for or in part of the said sum of two millions, or for carrying on their trade or other necessary occasions; it is also hereby enacted by the authority aforesaid, That it shall and may be lawful to and for the said governor and company of merchants of *Great Britain*, and their successors, from time to time (in case they shall so think fit) to borrow or take up money upon any contracts, bills, bonds or obligations, under their common seal or upon credit of their capital stock or stocks, or any part thereof, at such rate or rates of interest, for any time not less than six months from the borrowing thereof, as they shall think fit, and to give security under their common seal, or by assigning or transferring their stock or stocks, or any part thereof, or otherwise, as shall be to the satisfaction of the lenders respectively:

Company may borrow money under their common seal,

at such interest, and for any time not less than six months, as they shall think fit.

Securities not
to be stamped.

and that such contracts, bills, bonds, obligations or securities shall not be chargeable with any the duties upon stampd vellom, parchment or paper; any former law, statute, prohibition, restriction or other matter or thing whatsoever to the contrary in any wise notwithstanding.

The money to
be advanced
to be deemed
an additional
stock,

XVII. And it is hereby enacted by the authority aforesaid, That so much money as shall be called for by the said governor and company of merchants of *Great Britain* from their respective members, for or in part of the said sum of two millions, shall (if the said governor and company think proper). be and be deemed an additional stock of the said governor and company, and shall be written into the books of the said company, and each member thereof shall have credit in the said books for his or her proportion or share thereof; and that the members of the said company, who shall have a share or interest in the stock or additional stock of the said company, shall or may assign and transfer the same in the books of the said company, in such or the like method, manner and form, as are prescribed by the act or acts of parliament and charter now in force for assignments or transfers of original stock to be made in the books of the said company, or shall or may dispose or devise the same, or any part thereof, by will, in such manner and form as any share in the original stock of the said company is deviseable.

and transfer-
rable and de-
viseable as the
original stock.

Company to
continue a
corporation,

XVIII. And it is hereby declared and enacted by the authority aforesaid, That the said governor and company of merchants of *Great Britain*, and their successors for ever, shall remain, continue and be one body corporate and politick by the name above-mentioned, and shall have, hold, receive and enjoy the said yearly sum of six hundred thousand pounds, until and for the quarter to end at the feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen as aforesaid, and the said yearly sum of five hundred thousand pounds, and eight thousand pounds, and the said annuity or annuities after the rate of five pounds *per centum per annum*, until the same respectively shall be redeemed according to this act; and shall have, hold and enjoy all their forts, factories, acquisitions, lands, tenements, hereditaments, sole benefit and trade in and to the *South-Seas*, and elsewhere, with a perpetual succession, and all abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits and advantages whatsoever, whereunto the said governor and company are, or before the making of this act were entitled by any act or acts of parliament, grant or charter now in force; all which are by this act ratified and confirmed to them and their successors (the said former fund of six hundred thousand pounds *per annum*, which by this act is to determine at the feast of the nativity of Saint *John Baptist* one thousand seven hundred and eighteen, as aforesaid, only excepted) freed and discharged of and from all former proviſoes, powers, acts, matters and things whatsoever, for redeeming, determining, or making void the same, or any of them, subject nevertheless to the severall and respective proviſoes and powers of redemption hereafter in this act contained.

and enjoy
their annui-
ties, &c. till
redeemed;

and their fac-
tories, trades
and acqui-
sitions.

XIX. Provided always, and it is hereby enacted by the authority aforesaid, That at any time upon repayment by parliament to the said governor and company of merchants of *Great Britain*, or their successors, of the said sum of two millions, or so much thereof as shall be called for and advanced, as aforesaid, without any discount, deduction or abatement whatsoever to be made out of the same, or any part thereof, and of all arrears of such annuity or annuities, after the rate of five pounds *per centum per annum* payable for the same, if any such arrears shall be then due, then and not till then, the same annuity or annuities after the rate of five pounds *per centum per annum*, shall from thenceforth cease and determine; this present act, or any clause, matter or thing therein contained to the contrary notwithstanding.

On repayment of 2,000,000 l. annuities to cease.

XX. Provided also, and it is hereby enacted by the authority aforesaid; That upon one year's notice to be given by authority of parliament, at the feast of the nativity of Saint *John Baptist* which shall be in the year of our Lord one thousand seven hundred and twenty three, or at any of the said quarterly feast days, after the said feast of the nativity of Saint *John Baptist* one thousand seven hundred and twenty three, and upon repayment by parliament to the said governor and company of merchants of *Great Britain*, or their successors, of the said sum of ten millions according to such notice, without deduction, discount or abatement whatsoever to be made out of the same, or any part thereof, and upon payment of all arrears of the said yearly sums of five hundred thousand pounds and eight thousand pounds *per annum*, if any such shall be then due, then the said yearly sums of five hundred thousand pounds, and eight thousand pounds, shall from thenceforth cease and determine.

On one year's notice at 24 June, 1723. and repayment of 10,000,000 l. yearly sums to cease.

XXI. And in regard it is intended, That after the twenty fourth day of June one thousand seven hundred and twenty-three, the said principal sum of ten millions due to the said governor and company, may be satisfied by any payments not being less than one million of lawful money of *Great Britain* at a time; and that as the same principal monies shall be paid off, the said yearly sum of five hundred thousand pounds shall from time to time proportionally sink and be abated; be it therefore further provided and enacted by the authority aforesaid, That if at any time or times at or after the said twenty-fourth day of June one thousand seven hundred and twenty three, notice shall be given by authority of parliament for redemption of the said yearly sums of five hundred thousand pounds, and eight thousand pounds, by this act payable, as aforesaid; and if payment according to such notice be made by parliament to the said governor and company of merchants of *Great Britain*, or their successors, of any sum or sums of money (not being less than one million at a time) in part of the said sum of ten millions; and also if payment be made of all arrearages then due to them of the said yearly sums of five hundred thousand pounds, and eight thousand pounds, or so much of those arrearages as shall bear a proportion to the principal monies, from time to time remaining unsatisfied, being computed by the day, until the

After 24 June 1723. on payment of any sum not less than 1,000,000 l. at a time, in part of the 10,000,000 l.

then so much of the yearly sums, as shall bear proportion to the monies paid in part of the principal, shall cease.

After redemption, the duties to be understood to be redeemed by parliament.

But the corporation to continue for ever.

All things by any former acts or charters granted, to continue for ever.

the time of every such payment of part of the principal respectively; then from and after every such payment so made to the said governor and company, and their successors, so much of the said yearly sum of five hundred thousand pounds, as shall bear proportion to the monies so paid in part of the said principal, shall cease and determine and be abated; any thing in this or any former act or acts of parliament contained, or other matter or thing whatsoever to the contrary notwithstanding.

XXII. Provided also, and it is hereby further enacted by the authority aforesaid, That from and after the redemption of all the said yearly sums of five hundred thousand pounds, eight thousand pounds; and the said other annuity or annuities after the rate of five pounds *per centum per annum*, by payments to be made according to the several and respective provisos or conditions of redemption in this act contained of or concerning the same, then and not till then, the said duties, impositions, additional impositions and revenues, and all proportional parts of them, or any of them, shall be understood to be redeemed by parliament, and shall not be issued, paid or applied to any use, intent or purpose whatsoever without authority of parliament; nevertheless the said corporation, by the name aforesaid, after such redemption of the said yearly funds, annuities or other annual payments, shall continue for ever, and have perpetual succession, and shall hold and enjoy all forts, factories and acquisitions that they have erected, established or made, or shall erect, establish or make within the limits prescribed by the charter or charters to them granted, and the lands, tenements and hereditaments that are or shall be by them purchased in *Great Britain* not exceeding one thousand pounds *per annum*; and the said governor and company, and the members thereof, without having any share or interest in the said yearly funds, payments or annuities, or any of them, after the same shall be redeemed, shall have and be entitled to the sole benefit of trade in and to the *South-Seas* and elsewhere, and such power of trade in the fishery, as by any act or acts of parliament now in force is directed, and all other benefits, powers, privileges and advantages (the said respective annuities to them issuing or payable only excepted) as if no such redemption were had or made; any thing in this act contained to the contrary notwithstanding.

XXIII. And it is hereby declared and enacted by the authority aforesaid, That all and every the abilities, capacities, powers, authorities, exemptions, franchises, privileges, profits and advantages whatsoever, and all pains of death, and other penalties, forfeitures and disabilities, and all rules, directions, methods, articles, matters and things whatsoever, which by any former act or acts of parliament, or any clause or clauses therein, or any charter or charters under the great seal of *Great Britain*, are enacted, granted or established, to, for, touching or concerning the said corporation of the governor and company of merchants of *Great Britain* trading to the *South-Seas* and other parts of *America*, and for encouraging the fishery, or the members of the same (being in force at or until the time of making this

this act, and not hereby determined or altered) shall for ever continue and be practised, and be put in execution for securing and paying the yearly fund, annuities and payments by this act directed, subject to the provisos for redemption thereof in this act contained, and also (as well after such redemption as before) for securing the possessions, trade and business of the said corporation, and for their advantage in all respects, as fully and effectually to all intents and purposes, as if the said abilities, capacities, powers, authorities, exemptions, franchises, privileges, profits and advantages, and the said pains of death, and other penalties, forfeitures and disabilities, and the said benefit of trade, rules, directions, methods, articles, matters and things, were severally repeated and at large re-enacted in the body of this present act.

XXIV. And it is hereby enacted and declared by the authority afore said, That all such transfers and assignments of stock or additional stock, in the books of the said governor and company of merchants of *Great Britain*, as are not by this act wholly exempted from the stamp-duties, shall not hereafter be or be made liable to any higher or greater duties than are now payable for the same.

Transfers not
liable to
higher stamp-
duties.

XXV. And it is hereby declared and enacted by the authority afore said, That any vote or resolution of the house of commons, signified by their speaker in writing, to be delivered at the publick office of the said governor and company of merchants of *Great Britain* trading to the *South-Seas*, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act, for redeeming their said yearly funds or annuities, pursuant to the proviso or provisos of redemption in this act contained, and at the respective time or times therein mentioned; any thing herein contained to the contrary notwithstanding.

Vote of the
commons, sig-
nified by their
speaker a suf-
ficient notice.

C A P. VIII.

An act for redeeming several funds of the governor and company of the bank of England, pursuant to former provisos of redemption; and for securing to them several new funds and allowances redeemable by parliament; and for obliging them to advance further sums not exceeding two millions five hundred thousand pounds, at five pounds per centum, as shall be found necessary to be employed in lessening the national debts and incumbrances; and for continuing certain provisions formerly made for the expences of his Majesty's civil government; and for payment of annuities formerly purchased at the rate of five pounds per centum; and for other purposes in this act mentioned.

MOST gracious Sovereign, Whereas by an act of parliament made and passed in the seventh year of the reign of her late majesty Queen Anne, of blessed memory, intituled, An act for enlarging the capital stock of the bank of England, and for raising

- a further supply to her Majesty for the service of the year one thousand seven hundred and nine, the governor and company of the bank of England were obliged, in the manner therein mentioned, to deliver up to be cancelled certain Exchequer-bills which had been made forth by a former act of parliament in that behalf, which bills, with interest thereupon, were computed to amount to seventeen hundred seventy five thousand twenty seven pounds seventeen shillings ten pence halfpenny; and to the end the said governor and company of the bank of England, and their successors, might have a competent recompence and consideration for so doing, and for all their demands relating thereto, it was by the said act of the seventh year of her said late Majesty's reign enacted, That from and after the said feast of Saint Michael the Archangel in the year of our Lord one thousand seven hundred and ten, the said governor and company of the bank of England, and their successors for ever, shall have, receive and enjoy one annuity or yearly sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence out of such duties on houses as are therein mentioned: but it was thereby provided and enacted, That at any time upon one year's notice to the said governor and company of the bank of England, or their successors, and upon full payment to them of the said sum of one million seven hundred seventy five thousand twenty seven pounds seventeen shillings and ten pence halfpenny, and of all arrears of the said annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence per annum (if any shall be then due); then, and not till then, the said annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence per annum should cease and determine, and then also the said duties on houses should be understood to be redeemed by parliament, and should not be issued, paid or applied to any use or purpose whatsoever, but by authority of parliament. And whereas in pursuance of the said act of the seventh year of her said late Majesty's reign, several other bills, commonly called Exchequer-bills were made forth, amounting to two millions five hundred thousand pounds principal money; and in pursuance of another act of the same year, and of certain clauses contained in an act of the eighth year of her reign, there were issued several such bills, amounting to four hundred thousand pounds more in principal money; and pursuant to an act made in the twelfth year of her said late Majesty's reign, there were issued such bills, amounting to twelve hundred thousand pounds more in principal money: and it was provided by the said acts respectively, That all the bills thereby made forth should bear an interest after the rate of two pence per centum per diem (saving such interest as therein is mentioned;) and that the said governor and company of the bank of England should have an allowance after the rate of three pounds per centum per annum for circulating the said bills, abating the said allowance proportionally as the bills should be cancelled: and by an act made in the ninth year of her said late Majesty's reign, for better enabling the said governor and company of the bank of England to exchange for ready money upon demand any of the bills made forth upon the said several acts of the seventh and eighth years of her Majesty's reign, it was
- 15 Ann. c. 13.
- 7 Ann. c. 7.
- By 5 Geo. 1. c. 3.
& 11 Geo. 1. c. 9.
farther provisions are made concerning the funds, &c. in this act.
- 7 Ann. c. 7.
- 8 Ann. c. 1.
- 12 Ann. stat. 1.
c. 11.
- 9 Ann. c. 7.
- 7 Ann. c. 7 & 8.
8 Ann. c. 1.

acted, That the full sum of forty five thousand pounds per annum
 could be paid to and for the use of the said governor and company of
 the bank of England, by the ways and means therein specified, for
 and during such time only, as in that act was limited: and by the
 said act made in the twelfth year of her Majesty's reign, for better ^{12 Ann. Stat. 7.}
 enabling the said governor and company of the bank of England to ^{C. 11. sect. 15.}
 circulate all Exchequer-bills made forth, and to be made forth on that
 and the said former acts, by exchanging the same from time to time,
 for ready money upon demand, it was enacted, That the entire yearly
 sum of eight thousand pounds (over and above the said yearly sum of
 forty five thousand pounds) should be paid to and for the use of the
 said governor and company of the bank of England by quarterly pay-
 ments, until such time as no more than nineteen hundred thousand
 pounds of all the bills issued and to be issued in pursuance of that and
 the said former acts (taken all together) should be standing out uncanc-
 elled in the whole: and for making good as well the said interest of
 two pence per centum per diem, and the said allowance after the
 rate of three pounds per centum per annum, as also the said yearly
 sum of eight thousand pounds, until the subsidies, duties, surplus ma-
 nies and arrears composing the general fund and security by the said
 former acts, or some of them, intended to be established, or so many
 of them as should be sufficient for those purposes should have taken
 effect, it was by the said several acts of the seventh, eighth and
 twelfth years of her late Majesty's reign, or some of them, enacted,
 That the lord treasurer, or three or more of the commissioners of the
 treasury for the time being, should make out or cause to be made out
 other Exchequer-bills for so much as should be computed to be due at
 the respective quarter-days therein mentioned (over and above what
 should have been applied out of the subsidies, duties and other sums
 of money aforesaid) for such interest and for such allowance of three
 pounds per centum per annum, and for the said yearly sum of eight
 thousand pounds respectively; and that such quarterly bills should bear
 the like interest of two pence per centum per diem; and that the
 said governor and company of the bank of England should have the
 like allowance of three pounds per centum per annum for circulation
 thereof. And whereas in an act of parliament made and passed in the ^{1 Geo. 1. Stat. 2.}
 first year of your Majesty's reign, reciting, That the Exchequer-bills ^{C. 12.}
 standing out and remaining unsatisfied and undischarged upon the ele-
 venth day of July one thousand seven hundred and fifteen did amount
 to the sum of four millions five hundred sixty one thousand twenty and
 five pounds, or thereabouts; it was thereby enacted and declared,
 That several subsidies, duties, revenues, additional revenues, incomes,
 surplus monies, arrears, overplus monies and other monies therein par-
 ticularly described or mentioned, were and should be one general and
 aggregate fund and security for satisfying and paying all monies which
 then were and from time to time should be incurred and grown due or
 payable for interest, at the rate of two pence per centum per diem,
 and for the said allowance of three pounds per centum per annum
 for all the Exchequer-bills above-mentioned, or such of them as should
 from time to time be uncanceled or undischarged; and all the monies
 which were or should be grown due from time to time upon the said
 sums

sums of forty five thousand pounds per annum and eight thousand pounds per annum, for so long time as those yearly sums were to continue or be payable; and for supplying to your Majesty, during your life, the yearly sum of one hundred and twenty thousand pounds, for the service of your Majesty's household and family, and other your necessary expences and occasions; and also for supplying the further yearly sum of fifty four thousand six hundred pounds for ever, to raise money for publick services; and for making good such deficiencies as are therein expressed; and likewise for and towards furnishing the yearly sum of two hundred and seventy thousand nine hundred ninety nine pounds and seven shillings, for paying off and cancelling the said bills, all which was to be done in such order, manner and form, and with such preferences, as in the same act are prescribed: and it was thereby provided and enacted, That from and after the complete paying off and discharging all the principal and interest which should be due upon all the said Exchequer-bills issued as aforesaid, and cancelling the same, and full payment made of all arrearages (if any should be then due) as well for or upon the said allowance, after the rate of three pounds per centum per annum, and for or upon the said yearly sums of forty five thousand pounds, eight thousand pounds, one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds, and every of them, as also of such deficiency or deficiencies as should then appear to be unsatisfied (if any such be) for or upon the original fund of one hundred thousand pounds per annum, payable to the said governor and company of the bank of England, and for and upon their abovesaid annuity of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence per annum; then, and not till then, the said general or aggregate fund, and the said subsidies, duties and revenues contained therein, and every of them, should be understood to be redeemed by parliament, and should not be issued, paid or applied to any use, intent or purpose whatsoever without authority of parliament, other than and except such duties (part of the said aggregate fund) therein particularly described, which are thereby enacted to be continued for answering and paying all the payments which should after such redemption grow due for and upon the said yearly sum of one hundred and twenty thousand pounds quarterly, for the service of your Majesty's household and family, and other your necessary occasions, during your Majesty's life, and for answering and paying all the payments which should after such redemption grow due for or upon the said yearly sum of fifty four thousand six hundred pounds, for payment of annuities for ever, unless the same be redeemed by parliament, as by the said several acts, relation being thereunto respectively had, may more fully appear. And whereas the bills made forth upon the said several acts of the seventh, eighth and twelfth years of her late Majesty's reign, standing out and remaining uncanceled and undischarged upon the two and twentieth day of March one thousand seven hundred and sixteen, do still, by computation amount to the said sum of four millions five hundred sixty one thousand twenty and five pounds principal money; and the present charge to the publick of circulating the same, as well for the said interest of two pence per centum per diem, as the said allowances of three pounds per centum per annum,

Exchequer-
bills on 22
Dec. 1716, a-
mounted to
4,561,025 l.
7 Ann. c. 7. & 8.
8 Ann. c. 1.
12 Ann. stat. 1.
c. 11.
Charge for
circulating
828,361 l. 17 s.
30 d. per ann.

forty five thousand pounds per annum, and eight thousand pounds per annum, doth, by computation, amount to three hundred twenty eight thousand three hundred sixty one pounds seventeen shillings and ten pence per annum, or thereabouts, except so much thereof as may be abated for bills, from time to time, in the Exchequer, or in the hands of receivers or collectors of any taxes, aids or revenues payable to your Majesty. And whereas the said governor and company of Bank willing to accept of an annuity at six per cent. in lieu of their present annuity. By 11 Geo. 1. c. 9. f. 1. This annuity is reduced.

the bank of England, in regard the common rate of interest for money is very much lessened under your Majesty's most auspicious government, and their several funds before-mentioned are redeemable at such times, and in such manner, as aforesaid, are willing and contented to accept one annuity of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, being after the rate of five pounds per centum per annum, on the said principal sum of one million seven hundred seventy five thousand twenty seven pounds seventeen shillings and ten pence halfpenny, in lieu of their said present annuity or sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence per annum, so as they may be satisfied the said yearly sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence, until and for the quarter to end at the feast of the nativity of Saint John Baptist in the year of our Lord one thousand seven hundred and eighteen inclusively, and so as the future payments of the said sum of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny per annum may be secured to them from the said feast-day, until the redemption thereof; and so as the said yearly sum of eighty eight thousand seven hundred and fifty one pounds seven shillings and ten pence halfpenny be made redeemable upon one year's notice to be given at the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, or at any quarterly feast-day after the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, and upon full payment to them of the said sum of one million seven hundred seventy five thousand twenty seven pounds seventeen shillings and ten pence halfpenny, and of all arrears of the said yearly sum of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, if any shall be due at the time of such payment; and the said governor and company of the bank of England, are also willing and contented to discharge and deliver up to be cancelled, as many of the Exchequer-bills formerly made forth, as aforesaid, as amount to two millions in principal money, and to accept an annuity or sum of one hundred thousand pounds per annum, being after the rate of five pounds per centum per annum for the same two millions, to commence from the feast of the birth of our Lord Christ in the year of our Lord one thousand seven hundred and seventeen, subject to redemption by parliament, upon one year's notice to be given at the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen, or at any quarterly feast-day after the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen, and repayment of the said two millions, and all arrears of the annuity last mentioned; and to continue the circulating and exchanging for money at demand;

and of 1d. per cent. per diem interest on Exchequer-bills after 25 Dec. 1717.

Redeemable on a year's notice after Mich. 1717.

So as the present allowances for Exchequer-bills, be continued to Christmas 1717.

2,500,000l. to be advanced by the bank.

Bank to be paid such monies as on 24 June 1718. shall grow due on the annuity of 106,501l. 13s. 5d. on houses, and on the aggregate said.

the remainder (amounting by computation to two millions five hundred sixty one thousand twenty and five pounds in principal money) of the said Exchequer-bills now standing out and uncanceled, at the present allowance of three pounds per centum per annum; and are also content that the interest now payable on such remainder of the said bills be reduced to one penny per centum per diem, from and after the twenty fifth day of December one thousand seven hundred and seventeen; and that such interest running on any of the same bills during the time they shall lie in the Exchequer, or in the hands of the receivers or collectors of his Majesty's taxes, aids or revenues, be paid to the publick; so as the said Exchequer-bills so to be circulated or exchanged be made redeemable by parliament, upon a year's notice to be given at the feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and seventeen, or at any quarter feast-day after the feast of Saint Michael the archangel in the year of our Lord one thousand seven hundred and seventeen; and upon the payment of the principal and interest payable upon the said remaining bills and of all arrears of the said allowance of three pounds per centum per annum which shall be due to them at the time of such redemption and so as all the present allowances to the said governor and company of the bank of England, payable to them for circulating and exchanging for ready money the said bills, amounting to four millions five hundred sixty one thousand twenty five pounds, or thereabouts, now standing out or uncanceled, as aforesaid, be continued to them until the end of the quarter to end at the feast of the birth of our Lord Christ one thousand seven hundred and seventeen; and the said governor and company are also willing to advance to your Majesty, to be employed for or towards discharging or lessening the national debts and incumbrances, any further sum or sums of money, not exceeding in the whole two millions five hundred thousand pounds, as the commissioners of the treasury, or high treasurer for the time being, shall call for, at any time or times before the twenty fifth day of March one thousand seven hundred and eighteen at an interest of five pounds per centum per annum, redeemable by parliament: now we your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, being desirous to ease the present burthen of national debts and incumbrances, and in due time the heavy taxes lying upon this kingdom, so far as it is consistent with honour, justice and equity, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That the said governor and company of the bank of England, or their successors, shall be fully satisfied, contented and paid all summes as are due and unpaid, or at any time or times, on or before the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen inclusively, shall grow due, and remain unpaid, or be in arrear to them for or upon the said annuity or sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence per annum, or

of the money arisen or to arise at the receipt of Exchequer, of or for the said particular duties on houses, and of or for the said duties and revenues called the aggregate fund, or any of them; and that from and after the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, all payments of or upon the said annuity or sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence *per annum*, which from thenceforth should and might grow due and payable, shall cease and determine.

After that, the 106, 501. 13s. 5d. shall cease.

II. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, (subject nevertheless to the proviso and power of redemption hereafter in this act contained in this behalf, and one other) shall have, receive and enjoy, and be entitled by virtue of this act, to have, receive and enjoy the said annuity or yearly sum of eighty-eight thousand seven hundred fifty-one pounds seven shillings and ten pence half-penny, in respect of the said principal sum of one million seven hundred seventy-five thousand twenty-seven pounds seventeen shillings and ten pence half-penny, which annual or yearly sum of eighty-eight thousand seven hundred and fifty-one pounds seven shillings and ten pence half-penny shall be and is hereby charged upon, and shall be paid and payable, from time to time, out of all the monies arisen or to arise at the said receipt of the Exchequer, of or for the said particular duties on houses, and of or for the said duties and revenues, called the aggregate fund, and every or any of them; and shall be paid and payable to the said governor and company of the bank of *England*, and their successors for ever, from the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, at the four most usual feasts or days of payment in the year before-mentioned, by even and equal portions; all which payments shall also be made in such manner and form, and with such preference, as are herein ascribed or prescribed in that behalf.

Bank to have 88751. 7s. 10d. per annum out of the said duties. See 11 Geo. 1. c. 9. 2 Geo. 2. c. 3.

Payable from 24 June 1718. quarterly.

III. Provided always, and it is hereby enacted, That at any time upon one year's notice to be given at the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, or at any quarterly feast-day after the said feast of the nativity of Saint John Baptist one thousand seven hundred and eighteen, and not before; and upon repayment by parliament to the said governor and company of the bank of *England*, or their successors, of the said sum of one million seven hundred twenty-five thousand twenty-seven pounds seventeen shillings and ten pence half-penny, without deduction, discount or abatement whatsoever to be made out of the same, or any part thereof, and of all arrears of the said annuity of eighty-eight thousand seven hundred fifty-one pounds seven shillings and ten pence half-penny *per annum*, if any such shall be then due; then and not till then, the said annuity of eighty-eight thousand seven hundred fifty-one pounds seven shillings and ten pence half-penny *per annum* shall from thenceforth cease and determine;

Redeemable on one year's notice after 24 June 1718.

any former act or acts of parliament, or any provisos, matters or things therein contained, or other matter or thing whatsoever to the contrary notwithstanding.

Out of the said duties the bank to be paid so much as shall be due to them for interest at *ad. per centum per diem* on the bills for 2,000,000*l.* till delivered up, and so much as at Christmas 1717. shall grow due for their 3*l.* per cent. as shall remain uncanceled, and so much as then shall quarterly grow due on their 45,000*l.* and 8000*l.* per annum.

Bank to deliver up by 25 Dec. 1717. as many Exchequer-bills as amount to 2,000,000*l.* &c.

IV. And for the better encouragement of the said governor and company of the bank of *England* to pay off, discharge and cancel as many of the said Exchequer-bills as shall amount to two millions in principal money, and to continue the circulating and exchanging for money at demand, the remainder of them, according to the true intent and meaning of this act; it is hereby further enacted by the authority aforesaid, That out of the monies that are or shall be in the receipt of the Exchequer of the said duties and revenues of the said fund, called the aggregate fund, and of the said duties on houses, the said governor and company of the bank of *England* shall be paid and satisfied so much as shall be due and in arrear to them for the said interest of two pence *per centum per diem* upon the said bills amounting to two millions, until the time or respective times on which they shall deliver up the same pursuant to this act, and so much as at or before the feast of the birth of our Lord Christ one thousand seven hundred and seventeen shall grow due and be in arrear to them for their said allowance, after the rate of three pounds *per centum per annum*, to be computed by the day upon so many of the said Exchequer-bills, amounting to four millions five hundred sixty-one thousand twenty-five pounds, as shall at any time or times at or before the same feast-day remain uncanceled; and also so much, as at or before the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen shall quarterly grow due and be in arrear to them, for or upon their said allowances of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*.

V. And it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England* shall, on or before the twenty-fifth day of *December* one thousand seven hundred and seventeen, deliver up as many of the said Exchequer-bills (now being uncanceled and undischarged) as shall amount to the said sum of two millions in principal money, to such person or persons as the commissioners of his Majesty's treasury, or any three or more of them, or the high treasurer for the time being, shall nominate, to be discharged, canceled and made void, in such manner as the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being shall appoint, without issuing the same again, or any of them; and that the said interest of two pence *per centum per diem*, and allowance of three pounds *per centum per annum*, payable in respect of the said bills, amounting to two millions, from and after the time or respective times on which they shall or ought to be delivered up to be canceled, as aforesaid, and the said allowances of forty-five thousand pounds *per annum*, and eight thousand pounds *per annum*, from and after the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen, shall cease and determine, and all the duties

uties and revenues of the said aggregate fund shall be freed, exonerated and discharged, of, from and against the same; the said former acts, or any of them, or any other law or statute to the contrary notwithstanding.

VI. And be it further enacted by the authority aforesaid, That from and after the said feast of the birth of our Lord <sup>From Christ-
mas 1717.</sup> Christ one thousand seven hundred and seventeen, the said go- <sup>bank to have
an annuity of
100,000*l*.</sup> vernor and company of the bank of *England*, and their successors for ever, (subject nevertheless to the proviso and power of redemption hereafter in this act contained in this behalf, and one other) shall have, receive and enjoy, and be intitled by virtue of this act to have, receive and enjoy, one annuity or yearly sum of one hundred thousand pounds, being after the rate of five pounds *per centum per annum*, computed upon the said principal sum of two millions, which yearly sum of one hundred thousand pounds shall be, and is hereby charged upon, and shall be paid and payable, from time to time, out of all the monies arising or to arise at the said receipt of Exchequer, as well of or for the said several duties, revenues and incomes as of the aggregate fund, as aforesaid, as of or for the said particular duties on houses, and every or any of them; and shall be paid and payable to the said governor and company of the bank of *England*, and their successors for ever, at the four most usual feasts or days of payment in the year before-mentioned, by even and equal portions, without any deduction, defalcation or abatement whatsoever; and that all the payments hereof shall be made in such manner and form, and with such reference as are hereafter in this act prescribed in that behalf.

VII. Provided always, and it is hereby enacted, That at any time upon one year's notice to be given at the feast of the birth of our Lord Christ one thousand seven hundred and seventeen, or at any quarterly feast-day after the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen, and not before, and upon repayment by parliament to the said governor and company of the bank of *England*, or their successors, of the said sum of two millions, without any deduction, discount or abatement whatsoever to be made out of the same, and upon payment to them of all arrearages of the said yearly sum of one hundred thousand pounds, if any shall be due at the time of each payment, then and not till then, the said annuity of one hundred thousand pounds *per annum* shall from thenceforth cease and determine; any thing in this act contained to the contrary notwithstanding.

VIII. And it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall and they are by this act enjoined and required to advance and pay into the receipt of his Majesty's Exchequer, to be employed for or towards discharging or lessening the national debts and incumbrances, and not otherwise, such further sum and sums of money, not exceeding five and twenty hundred thousand pounds, at such time or

<sup>Bank to ad-
vance not ex-
ceeding
2,500,000*l*. by
25 March 1718.
5 Geo. 1. c. 3.</sup>

times on or before the twenty-fifth day of *March* one thousand seven hundred and eighteen, and by such proportions at a time, as the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall by any writing or writings under his or their hands, to be delivered at the publick office of the said governor and company in *London*, call for or require; and in case the said governor and company of the bank of *England* shall make failure in any such payment or payments so to be advanced by the space of fourteen days next after such writing or writings shall be respectively delivered, as aforesaid, the money whereof such failure in payment shall be made, shall and may be recovered in his Majesty's name, for the uses and purposes aforesaid, by action of debt, or upon the case, bill, suit or information in any his Majesty's courts of record at *Westminster*, wherein no essoin, protection, wager of law, or more than one imparlance shall be granted or allowed; in which action, bill, suit or information, it shall be lawful to declare, that the said governor and company of the bank of *England* are indebted to his Majesty the monies whereof they shall have made default in payment, according to the form of this statute, and have not paid the same; which shall be sufficient; and in and upon such action, suit, bill or information, there shall be further recovered to his Majesty's use, against the said governor and company of the bank of *England*, damages after the rate of ten pounds *per centum* for the monies so unpaid contrary to this act, besides full costs of suit; and the said governor and company of the bank of *England*, and their successors, and their capital stocks and funds, shall be and are hereby made subject and liable thereunto; so always that the sum to be called for or required of the said governor and company, as aforesaid, at any one time do not exceed five hundred thousand pounds.

On failure of payment, bank may be sued.

Bank to have an annuity at 5l. per cent. for so much as they shall advance.

IX. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, for all and every sum and sums of money which they shall advance for or in part of the said sum of two millions five hundred thousand pounds, shall have, receive and enjoy, and be entitled by force and virtue of this act to have, receive and enjoy an annuity after the rate of five pounds *per centum per annum* for ever, subject nevertheless to the proviso of redemption herein after contained in that behalf; and that all and every such annuity or annuities after the rate of five pounds *per centum per annum* for the money so to be advanced, shall be charged upon and shall be paid and payable, from time to time, out of the monies which shall from time to time arise, as well of or for the aforesaid duties upon houses, as of or for the said duties, revenues and incomes composing the said fund called the aggregate fund, and every or any of them, and shall be paid and payable to the said governor and company of the bank of *England*, and their successors, in manner following, that is to say, The first payment or payments of such annuity or annui-

ties

ies after the rate of five pounds *per centum per annum*, shall be computed by the day, and satisfied from the day or respective days on which the said sum, not exceeding two millions five hundred thousand pounds, or any part or parts thereof, shall be advanced or paid, as aforesaid, until the quarterly feast-day, or respective quarterly feast-days then next ensuing; and from thenceforth the same annuity or annuities, after the rate of five pounds *per centum per annum*, shall be paid and payable at the four most usual feasts or days of payment in the year before-mentioned, by even and equal portions; all which payments shall also be made in such manner and form, and with such preference, as are herein after prescribed in that behalf.

X. Provided always, and it is hereby enacted, That at any time upon repayment by parliament to the said governor and company of the bank of *England*, or their successors, of the said sum of two millions five hundred thousand pounds, or so much thereof as shall be called for and advanced, as aforesaid, without any deduction, discount or abatement whatsoever, to be made out of the same, or any part thereof, and of all arrears of such annuity or annuities after the rate of five pounds *per centum per annum*, if any such arrears shall be then due, then and not till then, the same annuity or annuities after the rate of five pounds *per centum per annum*, shall from thenceforth cease and determine; this present act, or any clause, matter or thing therein contained to the contrary notwithstanding.

XI. And as to so many of the said Exchequer-bills made forth upon the said recited acts, or any of them, as do amount in principal money to the sum of two millions five hundred sixty one thousand and twenty five pounds (being the sum of the Exchequer-bills which will be standing out after the delivering up and cancelling so many as amount to two millions, as aforesaid); it is hereby further enacted by the authority aforesaid, That the interest of two pence *per centum per diem*, now born on the said bills, for two millions five hundred sixty one thousand twenty five pounds, shall continue and be payable and paid to the bearer and bearers thereof respectively, until the twenty sixth day of *December* one thousand seven hundred and seventeen, and no longer; and that from and after the twenty fifth day of *December* one thousand seven hundred and seventeen, the interest upon the same bills shall be reduced to one penny *per centum per diem*, which interest of one penny *per centum per diem*, and no more for interest, shall from and after the said twenty fifth day of *December* one thousand seven hundred and seventeen grow due and be paid and payable upon the said bills, for the said sum of two millions five hundred sixty one thousand twenty five pounds, to the respective bearers thereof, until the redemption of the same, pursuant to the proviso herein after contained in that behalf; and that the said interest at the respective rates aforesaid, upon the said bills, amounting to two millions five hundred sixty one thousand twenty five pounds, shall be satisfied and discharged, from time to time, by such ways and

Redeemable at any time on repayment of principal.

Interest of two per cent. per diem, to continue till 26 Dec. 1717.

After 25 Dec. 1717. Interest to be reduced to one penny per centum per diem.

All interest on
Exchequer-
bills, whilst in
the publick
receipts, &c.
saved to the
publick.

and means as are hereafter in and by this act prescribed in that behalf: nevertheless, it is hereby provided and enacted, That the said interest at the respective rates aforesaid, upon such of the said bills, amounting to two millions five hundred sixty one thousand twenty five pounds, as are or shall, at any time or times, be in the receipt of the Exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues payable to his Majesty, his heirs or successors, during such time and times respectively, as such bills shall be or remain in the said receipt, or in such hands or power, as aforesaid, shall be abated and saved for the benefit of the publick.

Bank to have
for circulating
an annuity
of 76830l. 15s.
at the rate of
3l. per cent.
from Christ-
mas 1717.

XII. And it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall for circulating the said bills amounting to two millions five hundred sixty one thousand twenty five pounds, and for exchanging the same for ready money upon demand, from time to time, have, receive and enjoy, and be entitled by virtue of this act to have, receive and enjoy, to their own use and behoof, an annuity or yearly allowance of seventy six thousand eight hundred and thirty pounds and fifteen shillings, (being after the rate of three pounds *per centum per annum*, upon the said sum of two millions five hundred and sixty one thousand twenty five pounds) subject nevertheless to the proviso of redemption herein after contained in that behalf, which annuity or yearly allowance of seventy six thousand eight hundred and thirty pounds and fifteen shillings, shall be and is hereby also charged upon, and shall be paid and payable, from time to time, out of all the monies arisen or to arise, at the receipt of the Exchequer, of or for the said particular duties on houses, and of or for the said duties and revenues called the aggregate fund, and every or any of them; and shall be paid and payable to the said governor and company of the bank of *England*, and their successors for ever, from the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen, at the four most usual feasts or days of payment in the year before-mentioned, by even and equal portions, without any deduction, defalcation or abatement whatsoever; all which payments shall also be made in such manner and form, and with such preference, as are herein after prescribed in that behalf.

Redeemable
on one year's
notice at
Mich. 1717.

XIII. Provided always, and it is hereby enacted, That at any time upon one year's notice to be given at the feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and seventeen, or at any quarterly feast-day after the feast of Saint *Michael* the archangel in the year of our Lord one thousand seven hundred and seventeen, and not before, and upon full payment by parliament of the said sum of two millions five hundred sixty one thousand twenty five pounds, and all interest that shall be then due thereupon, and all arrears (if any) which shall be due at the time of such payment, on the said annuity of seventy six thousand eight hundred and thirty pounds and fifteen shillings *per annum*, and cancelling and discharging
all

all the said Exchequer-bills, then and not till then, the said annuity or allowance of seventy six thousand eight hundred and thirty pounds and fifteen shillings *per annum*, shall from thenceforth cease and determine; this act or any thing therein contained to the contrary notwithstanding. And for the better and more regular payment of all the monies which shall be payable unto the said governor and company of the bank of *England*, and their successors, by virtue of this act, as well for or upon the said several annuities of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, as also for or upon the said other annuity or annuities, after the rate of five pounds *per centum per annum*, (subject nevertheless, as aforesaid) standing orders shall be signed by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being; and after signing thereof, the same shall be firm, good, valid and effectual in the law, according to the purport and true meaning of them respectively, and of this act, and shall not be determinable by or upon the death or removal of any commissioner or commissioners of the treasury, or the high treasurer for the time being, or by or upon the determination of the power, office and offices of them and any of them; nor shall any commissioner of the treasury or high treasurer, or under-treasurer for the time being, have power to revoke, countermand or make void such order or orders so signed; as aforesaid.

XIV. And for the more speedy payment of the monies which shall be due or payable severally thereupon; it is hereby declared and enacted, That weekly or otherwise, as the monies of the several rates, duties, impositions, revenues and incomes, by this act charged or chargeable to or with the payment of the said annuities of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred thirty pounds and fifteen shillings *per annum*, and to and with the payment of the said other annuity or annuities after the rate of five pounds *per centum per annum*, and every of them, or any part thereof, shall from time to time be brought into the receipt of the Exchequer for or towards payment of the same, such monies shall and may be issued upon such order and orders for or towards discharging the said several and respective annuities or yearly sums thereupon charged, to grow due for or at the end of the quarter of a year, in which such issues or payments shall be made, so as such weekly or other speedy payments do not exceed the sums of the respective quarterly payments, which shall grow due for or at the end of such quarter respectively.

XV. And be it further enacted by the authority aforesaid, Bank to circulate. That the said governor and company of the bank of *England*, late Exche- and

bills for $\text{£}2,561,035$ l. till fully cancelled.

and their successors (for and in consideration of the said annuity or allowance of seventy-six thousand eight hundred and thirty pounds and fifteen shillings *per annum*, to be paid to them as aforesaid) shall, and they are hereby obliged and required, until all the said Exchequer-bills for the said sum of two millions five hundred sixty one thousand twenty five pounds shall be fully discharged and cancelled, pursuant to the said proviso and power of redemption in that behalf, exchange for ready money all such of the said Exchequer-bills for the said sum of two millions five hundred and sixty one thousand twenty five pounds, as from time to time, or at any time or times, shall be in the hands of any person or persons, and be demanded of the said governor and company of the bank of *England*, or at their publick office, to be exchanged for ready money (whether such bills, or any of them, shall or shall not have passed or had a currency in his Majesty's revenues or taxes) by paying unto all such person or persons, in ready money, the sum or sums for which such bill or bills so required to be exchanged was or were issued, or which the owner or owners of such bills shall be entitled unto by such bill or bills respectively, together with the interest that shall at the time of such demand be due on such bill or bills respectively, and so *toties quoties* as often as such bill or bills shall be demanded as aforesaid; and in case the said governor and company of the bank of *England*, or their successors, or their cashier, shall neglect or refuse to exchange any such bill or bills for ready money as aforesaid, contrary to the true intent and meaning of this present act, upon demand thereof made at their chief office (which, during the currency of the bills before mentioned, or any of them, is hereby required to be kept at some place within the city of *London*) by the space of twenty four hours, then the person or persons demanding the same, or the person or persons for whose account such demand shall be made, shall or may, and are hereby enabled to bring his, her or their action of debt, or upon the case, for the same, against the said governor and company of the bank of *England*, or their successors, in which action the person or persons so bringing the same shall and may declare, That the said governor and company of the bank of *England* are indebted to the plaintiff or plaintiffs therein the money demanded upon the said bill or bills, according to the form of this statute, and have not paid the same; which shall be sufficient; and the plaintiff or plaintiffs in such action or actions shall recover against the said governor and company of the bank of *England*, not only the money so neglected or refused to be paid, but also damages, besides full costs of suit; and the said governor and company of the bank of *England*, and their successors, shall be and are hereby made subject and liable thereunto; and in the said action or actions no essoin, protection, privilege or wager of law shall be allowed, or more than one imparlance.

Bank refusing,
may be sued,
&c.

These annuities are personal estates;

XVI. And it is hereby enacted by the authority aforesaid, That the said annuities or sums of eighty eight thousand seven hundred

hundred fifty one pounds seven shillings and ten pence half-penny, one hundred thousand pounds, and seventy six thousand eight hundred thirty pounds and fifteen shillings *per annum*, and the said other annuity or annuities after the rate of five pounds *per centum per annum*, and every of them, shall be deemed and adjudged to be personal estates; and the same, and the stock or stocks which the said governor and company of the bank of *England* now have or are entitled unto, as also all such stock or stocks which the said governor and company shall or may be entitled unto by virtue of this act, and also the principal sums and annuities payable to the said governor and company for or in respect of any such stock or stocks, are and shall, by virtue of this act, be free and clear and freed and discharged of and from all taxes, charges and publick impositions whatsoever, charged or to be charged thereupon; and shall not be liable to any foreign attachment; any law, custom or usage to the contrary notwithstanding.

and free from taxes, and not liable to foreign attachments.

XVII. And for the better securing all the several and respective payments prescribed or intended to be made by or in pursuance of this act, it is hereby enacted and declared by the authority aforesaid, That as well the said particular duties on houses, and the said duties, revenues and incomes composing the said aggregate fund (which latter are particularly described or referred unto in the said act of the first year of his Majesty's reign) and all other duties which were settled for payment of the said former yearly sums of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence, and of the said interest and allowances relating to the said former Exchequer-bills, and every of them, are and shall be continued, and be paid and payable to his Majesty, his heirs and successors, for ever; and shall be raised, levied, collected and brought into the Exchequer in *England*, by and according to such rules, methods and directions, and with such drawbacks, repayments and allowances, and under such penalties, forfeitures and disabilities, as are prescribed in and by the respective act and acts of parliament now in force, or any articles, clauses, matters or things therein contained, or thereby referred unto, for raising, levying or bringing in of the same, as fully and effectually as if the same acts, articles, clauses, matters and things, and every of them, were repeated and re-enacted in the body of this present act; nevertheless all the monies arising thereby into the said receipt, from and after the feast of the nativity of Saint John Baptist one thousand seven hundred and seventeen, and all the monies then remaining in the said receipt, of the same rates, duties, revenues or incomes, shall be disposable to and for the several and respective uses and purposes by this act appointed, and subject to the several provisos of redemption herein contained; any former law, statute, provision, restriction, clauses of appropriation, or other clauses, matter or thing whatsoever to the contrary notwithstanding; and that all the monies of the said particular rates and duties on houses, and of the said

Duties on houses, aggregate fund, &c. continued for ever.

1 Geo. 1. stat. 2.

c. 12.

See 5 Geo. 2.

c. 3. sect. 22.

Nevertheless for the purposes in the act contained.

aggregate

and entred in
books in the
Exchequer.

All the duties,
&c. appropri-
ated for the
uses of this
act.

aggregate fund, or other duties by this act required to be brought into the Exchequer as aforesaid, shall be duly and fairly entred in one or more book or books to be kept in the offices of the auditor of the receipt and clerk of the pells, for that purpose; to which all persons concerned, at all seasonable times, shall have free access without fee or charge.

XVIII. And it is hereby also enacted, That all the monies of the said rates, duties, revenues and incomes, which shall or ought to be brought into the receipt of Exchequer for the said purposes in this act directed (except the necessary charges for raising, collecting, levying, issuing, paying and accounting for the same) shall be and are hereby appropriated, and shall be issued and applied, as well to and for the payment and satisfaction of so much as at or before the said feast of the nativity of Saint John Baptist in the year of our Lord one thousand seven hundred and eighteen shall grow due or be in arrear to the said-governor and company, for or upon their said yearly sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence; and to and for the payment and satisfaction of so much as at or before the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen shall be due or demanded for the said interest, after the rate of two pence *per centum per diem*, upon all or any the said Exchequer-bills, amounting to four millions five hundred sixty one thousand twenty five pounds; and so much as at or before the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen shall quarterly grow due and be in arrear to the said governor and company, for or upon their said allowances of forty five thousand pounds *per annum*, and eight thousand pounds *per annum*; and for and upon their said allowance of three pounds *per centum per annum* for circulating the said bills; as also for answering and discharging all the growing payments which shall hereafter incur and grow due to them for or upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence half penny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, and the said other annuities after the rate of five pounds *per centum per annum*; and to and for the payment and satisfaction of the said yearly sums of one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds, and all arrears thereof, (if any), and such other annual and other payments as are hereafter in this act prescribed to be made out of the same, and every of them: all which arrears and growing payments before mentioned are to be satisfied and discharged in their due course and order, and with such preferences as are by this act appointed, according to the tenor and true meaning thereof, and without any fee or charge whatsoever to be demanded or paid for the same or any part thereof, but subject to such several and respective redemptions as are in this act prescribed touching the said growing payments or any of them, and to none other

other use, intent or purpose whatsoever; any former law, statute, provision, appropriation or other matter or thing whatsoever to the contrary notwithstanding: and in case any the officers or ministers of the Exchequer shall divert or misapply any of the monies of the said rates, duties, revenues or incomes by this act appropriated for the uses and purposes hereby directed or appointed, or any of them, contrary to the purport and true meaning of this act, or shall pay or issue the same, or any part thereof, otherwise than according to the intent of this act, and in the order hereby directed, or shall not keep books or make entries, and do and perform all other things which by this act he or they are required to do and perform, every such officer and minister shall forfeit his office, and be rendered incapable to serve his Majesty, his heirs or successors, in any office or employment of trust or profit whatsoever, and shall also be liable to pay double the value of any sum or sums of money so delayed to be paid, or so diverted or misapplied, with full costs of suit to those who shall suffer or be grieved thereby, to be recovered by action of debt, or upon the case, bill, suit or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, or more than one imparlance shall be granted or allowed.

Officers of the
Exchequer
misapplying
the money, &c.
forfeit their
offices, &c.

XIX. And be it further enacted by the authority aforesaid, That all the monies by this act appropriated or mentioned to be appropriated for the said uses and purposes in this act appointed, shall be issued and applied in manner and form following, (that is to say) in the first place to pay off so much as at or before the said feast of the nativity of Saint John Baptist in the year of our Lord one thousand seven hundred and eighteen shall grow due or be in arrear to the said governor and company, for or upon the said former yearly sum of one hundred and six thousand five hundred and one pounds thirteen shillings and five pence; and so much as at or before the said feast of the birth of our Lord Christ one thousand seven hundred and seventeen shall be due and demanded for the said interest, after the rate of two pence *per centum per diem*; and so much as on or before the same feast day shall be due and in arrear on the said former allowance of three pounds *per centum per annum*, and upon the said former yearly sums of forty five thousand pounds, and eight thousand pounds; and after paying or reserving sufficient to pay so much as at any time or times shall be grown due for or upon the said former yearly sums, or demanded for the said interest of two pence *per centum per diem* as aforesaid, then to and for the answering and discharging so much as shall, from time to time, be incurred and grown due for or upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds and fifteen shillings *per annum*, and the said other annuity or annuities after the rate of five pounds *per centum per annum*; to the said governor and company of the bank of

Course of pay-
ment, viz.
First to pay off
so much as at
24 June 1718,
shall grow due
on the yearly
sum of
106,501 l. 13 s.
5 d.

and so much
as at Christmas
1717, shall be
due for interest
at 2 d. *per cent.*
per diem; and
so much as at
the same feast-
day shall be
due for interest
at 3 l. *per cent.*
per ann. &c.
Then to pay
so much as
shall be grown
due on the
annuities, &c.
payable to the
bank weekly.

England,

England; and their successors, or to their cashiers for their use, weekly, or as soon as the same can be satisfied out of the monies of the said rates, duties, revenues and incomes, or any of them, according to the tenor and true meaning of this act, so as by such weekly or other payments the whole of the said annuities or yearly sums to be paid to the said governor and company, or their successors, at the end of each quarter be not exceeded, and so that upon every of the said quarterly feast days the whole then due thereupon severally be completed, made up or satisfied; and to and for the answering and discharging such demands as shall be made of or for the said growing interest of one penny *per centum per diem*, according to the true intent and meaning of this act.

and the 1d.
*per cent. per
diem.*

Then to pay
the yearly sum
of 120,000l.
during his
Majesty's life.

XX. And it is hereby enacted, That after paying or reserving sufficient to pay and satisfy, from time to time, so much as at any time or times is or shall be grown due or demanded for or upon the said former yearly sums and interest of two pence *per centum per diem* as aforesaid; and for and upon the said annuities or sums of eighty eight thousand seven hundred and fifty one pounds seven shillings and ten pence halfpenny *per annum*, one hundred thousand pounds *per annum*, and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*; and the said other annuity or annuities after the rate of five pounds *per centum per annum*, and to answer such demands as shall be made of or for the said growing interest of one penny *per centum per diem*; then the said yearly sum of one hundred and twenty thousand pounds, for the service of his Majesty's household and family, and other his necessary expences and occasions, and all arrears thereof, from time to time grown due, shall be paid to his Majesty, during his Majesty's natural life as aforesaid, out of the monies by this act appropriated, or mentioned and intended to be appropriated for the uses and purposes by this act appointed as aforesaid; and that the commissioners of his Majesty's treasury, and the high treasurer and undertreasurer of the Exchequer for the time being shall and may, and they are hereby authorized and required to cause the said yearly sum of one hundred and twenty thousand pounds, or such arrears thereof, to be issued and applied weekly, or as soon as the same can be satisfied, in the order and course before-mentioned for that service, out of the monies arisen or to arise as aforesaid, so as by such weekly or other payments the sum of thirty thousand pounds, to be due thereupon, at the end of each quarter, be not exceeded; and so that upon every of the said quarterly feast days the whole then due thereupon (if the said appropriated monies will extend thereunto) be completed, made up or satisfied, according to the true meaning of this act.

Then the year-
ly sum of 54,
600l. is to be
set apart for

XXI. And be it further enacted by the authority aforesaid, That after paying or reserving sufficient to pay and satisfy, from time to time; so much as at any time or times is or shall be grown due for or upon the said former yearly sums; and for and upon

upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence half-penny, one hundred thousand pounds; and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and to answer such demands as shall be made of or for the said interest; at the respective rates aforesaid, and so much as at any time or times is or shall be grown due for and upon the said sum of one hundred and twenty thousand pounds *per annum*; then the said sum of fifty four thousand six hundred pounds *per annum*, and all arrears thereof (if any be) shall, without any deduction or abatement, be separated and set apart in the said receipt of the Exchequer, out of the monies by this act appropriated or mentioned to be appropriated as aforesaid, for the uses and purposes in this act appointed; and shall, from time to time, be issued and applied to answer and satisfy such perpetual annuities as are purchased thereupon, at the rate of five pounds *per centum per annum*, according to the true intent and meaning of such act or acts of parliament as are passed in that behalf, subject nevertheless to redemption by parliament, as is thereby prescribed.

XXII. And it is hereby declared to be the true intent and meaning of this act, That the said arrearages of the said former yearly sums, and the monies which shall, from time to time, be due upon the said annual sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence half-penny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and the monies necessary to answer such demands of interest as aforesaid, shall from time to time take place and be preferred, in point of payment, before the sums which shall grow due upon the said yearly sum of one hundred and twenty thousand pounds; and that the said yearly sum of one hundred and twenty thousand pounds shall from time to time take place and be preferred, in point of payment, out of the same, before the said yearly sum of fifty four thousand six hundred pounds; and that the said yearly sum of fifty four thousand six hundred pounds shall, from time to time, take place and be preferred, in point of payment, before the applying any of the said appropriated monies for or towards answering any the payments hereafter in and by this act charged or chargeable thereupon.

XXIII. Provided always; and it is hereby enacted by the authority aforesaid, That after paying or reserving sufficient to pay and satisfy, from time to time, so much as at any time or times is or shall be grown due for or upon the said former yearly sums, and for or upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy x thousand eight hundred and thirty pounds fifteen shillings

The prefer-
ences in point
of payment.

Then the defi-
ciencies of the
bank's original
fund of
100,000*l.* *per*
annum to be
made good.

per annum, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and the monies necessary to answer such demands of interest as aforesaid, and so much as at any time or times is or shall be grown due for or upon the said sums of one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds *per annum*; then the deficiency and deficiencies for making good the payments to be, from time to time, incurred and grown due for or upon the original fund of one hundred thousand pounds *per annum*, payable to the said governor and company out of the five seventh parts of certain rates or duties of excise, by virtue of several acts of parliament in that behalf (when and as often as any such shall happen) shall, from time to time, be satisfied and answered out of the monies by this act appropriated as aforesaid; and from and after paying or reserving sufficient to pay and satisfy, from time to time, so much as at any time or times is or shall be grown due for or upon the said former yearly sums, and for or upon the said annuities or sums of eighty eight thousand seven hundred and fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and the monies necessary to answer such demands of interest as aforesaid, and so much as at any time or times is or shall be grown due for or upon the said sums of one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds *per annum*; and to make good such deficiencies of the said original fund of one hundred thousand pounds *per annum* (if any such be) as aforesaid; then the yearly sum of four thousand pounds shall be set apart in the Exchequer, and issued from time to time to the respective sheriffs of *England and Wales*, for defraying the charges of taking forth the letters patents for their respective offices, and passing their respective accounts, and obtaining their *Quittances* according to such other act as is or shall be passed in this session of parliament in that behalf.

Then to pay 4000l. *per annum* to sheriffs, for taking forth their patents, passing their accounts, &c.

The surplus of every quarter disposeable by parliament.
See 5 Geo. 1. c. 3. sect. 1.

XXIV. And it is hereby declared and enacted by the authority aforesaid, That the excess or surplus, which at the end of every or any quarter of a year (reckoning the quarters to end at the usual feasts above-mentioned) shall and may be produced by the said several rates, duties, revenues and incomes hereby appropriated or mentioned to be appropriated as aforesaid, and shall remain in the Exchequer over and above the money then due or demandable for or upon the several annuities, allowances and other payments before-mentioned, or any arrears of the same, shall attend the disposition of parliament, and be applied according to act or acts of parliament in that behalf, and not otherwise; any thing in this act contained to the contrary notwithstanding.

The deficiency of any quarter

XXV. Provided always, and it is hereby enacted, That in case the produce of the said several rates, duties, revenues and incomes

comes hereby appropriated, as aforesaid, at the end of any quarter of a year after the feast of the annunciation of the blessed Virgin *Mary* one thousand seven hundred and seventeen, shall be deficient to answer and pay so much as shall be then due for or upon the said former yearly sums, which are to continue till the respective times aforesaid, and for or upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred and thirty pounds and fifteen shillings *per annum*, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and the monies necessary to answer such demands of interest as aforesaid, and so much as shall be then due for or upon the said sums of one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds *per annum*, and so much as is to make good the said deficiency (if any be) of the said original fund; then, and so often, and in every such case, every such deficiency of the said duties and revenues shall and may be made good out of the produce of all those rates, duties, revenues and incomes, in any subsequent quarter or quarters wherein there shall be an overplus for or towards answering the same; any thing in this act contained to the contrary notwithstanding.

XXVI. Provided also, and it is hereby enacted, That in case the produce of the said several rates, duties, revenues and incomes hereby appropriated as aforesaid, shall at any time or times appear to be so deficient, that within any one year (reckoning each year to end at *Michaelmas* yearly) the same shall not be sufficient to answer and pay so much as shall be then due for or upon the said former yearly sums, which are to continue till the respective times before limited, and for and upon the said annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, seventy six thousand eight hundred and thirty pounds fifteen shillings *per annum*, and the said other annuity or annuities, after the rate of five pounds *per centum per annum*, and the monies necessary to answer such demands of interest as aforesaid, and so much as shall be then grown due for or upon the said sums of one hundred twenty thousand pounds, and fifty four thousand six hundred pounds *per annum*, and so much as is to make good the said deficiency (if any then be) of the said original fund, and so much as shall be then due upon the said yearly sum of four thousand pounds, according to this act; then, and in every such case, and as often as any such deficiency of the said rates, duties, revenues and incomes shall happen, the same shall be provided for, answered and made good by and out of the then next aids to be granted in parliament.

XXVII. And it is hereby further enacted, That the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall, and he and they are

The deficiency at the year's end to be made good by parliament.

Treasury to impress to persons, on security, the ne-

cessary sums
to discharge
interest to the
bearers of the
bills, &c.

are hereby impowered and directed, out of the monies arising by the said duties appropriated (amongst other things) for payment of the said interest as aforesaid, to issue to such person or persons, as he or they shall think fit to entrust in that behalf, and upon security to be given to his or their good liking, such sum or sums of money by way of imprest, and upon account, from time to time, and by such proportions at a time, as he or they shall find necessary for discharging all the said interest grown due and payable, or to grow due and payable, at the respective rates aforesaid, upon the said bills, in pursuance of this act; the said interest to be discharged in the manner and form herein after-mentioned; and that any person or persons, bodies politick or corporate, having in their custody any of the said Exchequer-bills, upon which six months interest or more shall be due and unpaid, shall and may, from time to time, demand and receive of the person and persons to whom the said monies shall be imprested for payment of interest as aforesaid, all the interest so due and unpaid upon such Exchequer-bills, who are hereby directed and required to pay and discharge the same, upon such demand, out of the money to be imprested to him or them for that purpose.

The bills to
be current in
payment at
the Exche-
quer, &c.

XXVIII. And be it further enacted by the authority aforesaid, That the said Exchequer-bills amounting to two millions five hundred sixty one thousand and twenty five pounds as aforesaid, shall be received and taken by, and shall pass and be current to all and every receivers and collectors in *Great Britain* of the customs, excise, or of any revenue, supply, aid or tax whatsoever, already granted, due or payable, or which shall or may hereafter be granted, due or payable to his Majesty, his heirs and successors, and also at the receipt of the Exchequer, from the said receivers or collectors, or from any other person or persons, bodies politick or corporate whatsoever, making any payments or loans there to his Majesty, his heirs or successors, for or upon any account, cause or occasion whatsoever, until the full paying off and cancelling the said bills, and every of them, according to the purport and true meaning of this act; and that such of the same bills as shall be so received at the Exchequer, shall and may be locked up and secured as cash, according to the course of the said Exchequer settled and established by law for locking up and securing money in specie received there; and that all and every receivers and collectors in *Great Britain* of the customs, excise, or of any revenue, aid, tax or supply whatsoever, already granted, due or payable, or which shall or may hereafter be granted, due or payable to his Majesty, his heirs or successors, shall and are hereby directed and required, out of any current coined money as shall then be in their hands of such revenue, aid, tax or supply, to pay such of the said bills amounting to two millions five hundred sixty one thousand and twenty five pounds, as shall be brought unto them respectively by any person or persons desiring to have money for the same; and in case such receiver or collector shall

Receivers, &c.
to exchange
the bills for
money in their
hands;

Refusing may
be sued,

shall neglect or refuse to exchange such bills for ready money, within the space of twenty four hours, then the person or persons demanding the same shall or may bring an action of debt or on the case for the principal and interest monies due upon such bills against such receiver or collector, having money in his hands, as aforesaid; in which action the plaintiff shall or may declare, That such receiver or collector is indebted to such plaintiff the money demanded upon every such bill, according to the form of this statute, and hath not paid the same; which shall be sufficient; and the plaintiff in every such action shall recover against such receiver or collector, not only the monies neglected or refused to be paid, but also the damages, besides full cost of suit, and such receiver or collector shall be subject and liable thereunto; and in such action, no essoin, protection, privilege or wager of law shall be allowed, or any more than one imparlance; and upon payment of the money to be recovered, the plaintiff, his executors or assigns, shall deliver up such bills to the defendant, his executors or assigns.

XXIX. And be it further enacted, That as any of the said bills amounting to two millions five hundred sixty one thousand and twenty five pounds shall be paid or lent into the Exchequer by any of his Majesty's receivers, or any other person or persons, bodies politick or corporate, making any payments or loans at that receipt, the officers there shall cause tallies to be coined and delivered to the payers or lenders, as amply and effectually, to all intents and purposes, as if they had made such payments or loans in specie.

Money lent in bills, equal to specie at the Exchequer.

XXX. And be it enacted by the authority aforesaid, That the interest which shall, from time to time, be due upon any bills so to be current, shall be allowed to all persons, bodies politick or corporate, paying the same to any receivers or collectors, receiver or collector of any his Majesty's aids, taxes or supplies, or by way of exchange, as aforesaid, or paying or sending the same into the Exchequer, as aforesaid, unto the respective days whereupon such bill or bills shall be so paid, exchanged or lent.

Interest on bills to be allowed by receivers general, &c. to the day of paying.

XXXI. Provided always, That no interest shall run or be paid on or for any such bill or bills, during the time that any such bill or bills so paid, exchanged or lent, shall remain in the hands of any the said receivers or collectors, or in the hands of any teller or tellers of the Exchequer; but for such time the interest on every such bill shall cease for the publick benefit and advantage.

No interest on bills in receivers, &c. hands.

XXXII. And to the end it may be known for what time such bills shall, from time to time, remain in the hands of such receivers or collectors, or in the Exchequer, as aforesaid; be it further enacted by the authority aforesaid, That the person or persons who shall pay such bill or bills to any receiver or collector of any his Majesty's revenues, aids, taxes, or supplies, by way of exchange or otherwise, or shall pay or lend such bill or bills into the Exchequer, as aforesaid, shall at the

Endorsements to be made thereupon by the payer.

time of making such payment, exchange or loan, on each bill so paid, exchanged or lent, put his or their name or names, and write thereupon in words at length, the day of the month and year on which he, she or they so paid, lent or exchanged such bill or bills; all which the said receivers and collectors respectively, and also the respective tellers in the Exchequer, shall take care to see done and performed accordingly; to which respective days the said receivers and collectors shall be allowed again the interest which he, she or they shall have allowed or paid upon such respective bill or bills, upon his, her or their paying the same into the receipt of the Exchequer, as aforesaid.

**Bills re-issued,
interest to re-
vive.**

XXXIII. Provided also, and it is hereby further enacted by the authority aforesaid, That when any of the said bills shall be re-issued or paid again out of his Majesty's Exchequer, the respective teller there, from whose office such bill or bills shall be so re-issued or again paid out, should endorse on such bill or bills so re-issued, in words at length, the day of the month and year that the same were so re-issued or repaid out of the said Exchequer, and also on what account the same were last received into the receipt of the Exchequer, and sign the same, from which time the interest on such bill or bills so re-issued or paid again shall revive, and such bill or bills shall again run and pass at interest as the same did before they were paid unto or exchanged by the said receivers or collectors, or before the same were paid or lent into the Exchequer, as aforesaid.

**Bills to be re-
issued only for
the principal
money.**

XXXIV. And it is hereby enacted by the authority aforesaid, That the same bills to be re-issued, from time to time, or at any time, at the Exchequer, as aforesaid, shall be so re-issued only for the principal money to be contained therein.

**Tellers to be
re-imburfed
the interest
they allow.**

XXXV. And to the end the respective tellers of the Exchequer, who shall allow any interest upon such bills which shall be paid or lent into the Exchequer, as aforesaid, may be re-imburfed the said interest by them respectively allowed; it is hereby further enacted by the authority aforesaid, That the officer or officers to be, from time to time, appointed for receiving the monies hereby appropriated for payment of the said interest, shall from time to time, out of such monies in his or their hands, reimburse and pay to the said teller and tellers respectively, so much as he or they shall have respectively allowed for the said interest to the payers or lenders of such bills; in the doing whereof he or they shall observe such rules and directions as he or they shall, from time to time, receive from any three or more of the commissioners of the treasury, or high treasurer for the time being.

**Receiver ge-
neral to keep
a book of all
the monies by
him received,
&c.**

XXXVI. And be it enacted, That every receiver general of any revenues, aids, taxes or supplies, belonging or to belong to his Majesty, his heirs or successors, shall keep a fair book or books of accounts in writing of all the monies by him received; in which he or his deputy or deputies shall truly enter all the sums which shall have been received by him or them for every such

such revenue, aid, tax or supply, together with the names of the several collectors from whom the same, or any part thereof was received, the days when, and the sums paid, how much thereof in money, and how much in Exchequer-bills, and what Exchequer-bills shall have been exchanged by every such receiver general pursuant to this act; to which accounts every person concerned shall have free access at all seasonable times without fee or charge; and the said accounts shall constantly lie open at one certain place, within the limits of his receipt for that purpose; and if such receiver shall neglect to keep such book or books, or to enter therein any sum or sums of money by him and them received and paid, as aforesaid, by the space of three days after his receipt or payment of the same, or shall refuse any person or persons concerned to inspect such book or books without fee or charge, as aforesaid, every such receiver for every such offence shall forfeit the sum of one hundred pounds, to any person or persons who shall sue for the same, to be recovered by action of debt, or on the case, bill, suit or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege or wager of law shall be allowed, or any more than one imparlance.

Penalty 100*l*.

XXXVII. Provided always, and it is hereby enacted by the authority aforesaid, That in case any of the Exchequer-bills for the said sums of two millions five hundred sixty one thousand and twenty five pounds, shall be filled up by writing or endorsements to be made thereon, as aforesaid, or shall by any accident be defaced, it shall and may be lawful for the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, and he and they are hereby authorized and enjoined, upon request to be made by the said governor and company, and their successors, from time to time, to cause new bills to be made forth at the receipt of the Exchequer, in lieu of such bills as shall be filled up or defaced, which old bills so filled up or defaced, shall be cancelled at the receipt of the Exchequer, and kept there; and such new bills shall have the like currency, and shall in all respects be subject to the same rules, methods and continuance, as if the same had been bills originally issued in pursuance of this act, and shall bear the same numbers, dates, and principal sums, and carry the like interest, as were born and carried by the old bills so cancelled respectively; and so *toties quoties* as often as any of the bills to be made forth by this act shall happen to be filled up or defaced, as aforesaid.

New bills may be made forth in lieu of such as be filled up or defaced.

XXXVIII. And for the better enabling the said governor and company of the bank of *England*, and their successors, to circulate the said bills, whereof the circulation is to continue by this act, and to carry on their other affairs; it is further enacted by the authority aforesaid, That it shall and may be lawful to and for the said governor and company of the bank of *England*, or their successors, from time to time, as they shall see cause, to call from, or direct to be paid by their respective members for

Bank may call in money from their members.

Penalty on
members not
complying.

the time being, proportionably according to their respective interests in the capital stock or stocks of the said governor and company, any sum or sums of money, as in a general court of the said governor and company shall be judged necessary, and ordered to be called in; and that all executors, administrators, guardians and trustees, shall be indemnified in paying the same; and in case any such member or members shall refuse or neglect to pay his, her or their share of the monies so called for at the time or times appointed for that purpose, by notice inserted in the *London Gazette*, and fixed upon the *Royal Exchange*, it shall and may be lawful to and for the said governor and company of the bank of *England*, and their successors, not only to stop the share or dividend which shall, from time to time, become payable to such member or members (so neglecting or refusing) of the funds, stocks or profits of the said company, and to apply the same, from time to time, for or towards payment of the share of the money so called for, and which ought to have been paid by such member or members so neglecting or refusing, until the same shall be satisfied, but also to stop the transfers or assignments of the share of every such defaulter, and to charge such defaulter or defaulters with an interest after the rate of five pounds *per centum per annum*, for the monies so by him, her or them omitted to be paid, from the time the same were appointed to be paid until the payment thereof; and that the shares and stocks of such defaulter and defaulters shall be liable to make good and answer the said monies so appointed to be paid, and the interest thereof; and in case the principal and interest shall be unpaid by the space of three months, then the said governor and company of the bank of *England* shall have power to sell so much of the stock and stocks of such defaulter and defaulters as will satisfy and pay the same, rendering the overplus to the proprietors, if any be; and the said governor and company in a general court, from time to time, when they shall judge their affairs will admit thereof, shall cause any sum or sums of money which shall be so called in, or any part thereof, to be divided and distributed to and amongst the then members of the governor and company of the bank of *England*, according and in proportion to their respective interests in the capital stock or stocks of the same; any former law, statute, restriction, or any other clause, matter or thing to the contrary notwithstanding.

Bank may borrow monies under their common seal above the common interest,

XXXIX. And it is hereby enacted, That the said governor and company of the bank of *England*, or their successors, shall have power and authority, and they are hereby enabled; in case they shall think fit, from time to time, and at any time or times, at their own good liking, to borrow or take up money upon any contracts, bills, bonds or obligations, under their common seal, or upon credit of their capital stock or stocks, or any part thereof, or otherwise, for any time, or to be paid upon demand, and at such rate or rates of interest, or upon such terms as they shall think fit, although the same shall happen to

exceed the interest allowed by law to be taken, and to give such security for the same, as shall be to the satisfaction of the lenders respectively; any former law, statute, prohibition, restriction, clause, matter or thing whatsoever to the contrary notwithstanding: and they are hereby authorized, at their own good liking, to contract and agree in such manner as they shall think fit, at any time or times, with any person or persons, natives or foreigners, bodies politick or corporate, in whose abilities they shall be well satisfied, for or concerning the furnishing of monies, from time to time, by such persons or corporations, upon such terms as they shall find necessary, for the better enabling the said governor and company of the bank of *England* to perform such matters and things as they are to do and perform in pursuance of this act, and to take subscriptions from such persons or corporations for that purpose; and it is hereby declared, that such contracts, bills, bonds, obligations, securities or subscriptions, shall not be chargeable with any the duties upon stampd vellum, parchment or paper; any former law or statute to the contrary notwithstanding.

and take subscriptions for that purpose.

Their securities not chargeable with the stamp-duties

XL. And it is hereby enacted by the authority aforesaid, That if any person or persons shall forge or counterfeit any of the Exchequer-bills made forth, or to be renewed, as aforesaid, or any endorsement or writing thereupon, or tender in payment any such forged or counterfeit bill, or any Exchequer-bill with such counterfeit endorsement or writing thereupon, or shall demand to have such counterfeit bill, or any Exchequer-bill with such counterfeit endorsement or writing thereupon, exchanged for ready money by the said governor and company of the bank of *England*, or their successors, or by any receiver or collector, as aforesaid, knowing the bill so tendred in payment or demanded to be exchanged, or the endorsement or writing thereupon, to be forged or counterfeited, and with intent to defraud his Majesty, his heirs or successors, or the said governor and company, or any other person or persons, body politick or corporate, then every such person or persons, so offending (being thereof lawfully convicted) shall be adjudged a felon, and shall suffer as in cases of felony without benefit of clergy.

Forging, &c. Exchequer-bills, &c. felony.

XLII. And it is hereby further enacted, That the said governor and company of the bank of *England* shall, from time to time, have the use and custody of one part of all the cheques, indents, or counterfoils of all the Exchequer-bills to be current on this act, and from which the said bills are cut, in order to prevent their being imposed upon by counterfeited or forged bills; and that when any of the same bills shall be discharged and cancelled, such parts of the said cheques, indents, or counterfoils, as shall relate to the bills so discharged and cancelled, shall, from time to time, be delivered back into the receipt of Exchequer by the said governor and company of the bank of *England*, or their successors.

Bank to have the indents or counterfoils of the bills.

Till all the bills be paid off, no other to be issued.

XLII. Provided always, and it is hereby enacted by the authority aforesaid, That until all the Exchequer-bills to be circulated upon this act shall be paid off, discharged and cancelled, no more or other Exchequer-bills, or bills of the like nature, though by another name, shall or may be made out and issued at the receipt of the Exchequer, either with or without the authority of parliament, unless by consent of the said governor and company of the bank of *England*, or their successors.

No member of the bank disabled from being a parliament-man, or liable to be a bankrupt, &c.

XLIII. And it is hereby further enacted, That no member of the corporation of the governor and company of the bank of *England*, for or by reason of any the matters or things in this act contained, shall be disabled from being a member of parliament, or be adjudged liable to be a bankrupt within the intent and meaning of all or any of the statutes made against or concerning bankrupts; any law, statute, or provision to the contrary thereof in any wise notwithstanding.

During the bank, no other corporation (exceeding six) to borrow money on bills payable at less than six months.

XLIV. Provided always, and it is hereby enacted by the authority aforesaid, That during the continuance of the said corporation of the governor and company of the bank of *England*, it shall not be lawful for any body politick or corporate whatsoever, erected, or to be erected, (other than the said governor and company of the bank of *England*) or for any other persons whatsoever, united, or to be united in covenants or partnership, exceeding the number of six persons, in that part of *Great Britain* called *England*, to borrow, owe, or take up any sum or sums of money on their bills or notes, payable at demand, or at any less time than six months from the borrowing thereof.

Bank in a general court may (in regard of these undertakings) declare such addition to their capital stock as they shall think fit.

XLV. And it is hereby further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, or their successors, shall and may, and they are hereby authorized and empowered, in a general court, to make and declare such addition to their capital stock (in regard of their undertaking to discharge and deliver up the said Exchequer-bills, amounting to two millions, to continue the circulation of the said Exchequer-bills, amounting to two millions five hundred sixty one thousand and twenty five pounds, and to advance any further sums, not exceeding two millions five hundred thousand pounds as aforesaid) as they shall think fit; and so much as shall be so declared, shall be, or be deemed to be capital stock or additional stock accordingly; and that the members of the said corporation of the governor and company of the bank of *England*, who shall have a share or interest in such stock or stocks, shall or may assign or transfer the same, or any part thereof, in the books of the said governor and company of the bank of *England*, apart by itself, or jointly with any other stock which such members may have in the said company; which assignments or transfers shall and may be made in such or the like method, manner and form, as are prescribed by any act of parliament, or charter now in force, for assignments or transfers

exceed the interest allowed by law to be taken, and to give such security for the same, as shall be to the satisfaction of the lenders respectively; any former law, statute, prohibition, restriction, clause, matter or thing whatsoever to the contrary notwithstanding: and they are hereby authorized, at their own good liking, to contract and agree in such manner as they shall think fit, at any time or times, with any person or persons, natives or foreigners, bodies politick or corporate, in whose abilities they shall be well satisfied, for or concerning the furnishing of monies, from time to time, by such persons or corporations, upon such terms as they shall find necessary, for the better enabling the said governor and company of the bank of *England* to perform such matters and things as they are to do and perform in pursuance of this act, and to take subscriptions from such persons or corporations for that purpose; and it is hereby declared, that such contracts, bills, bonds, obligations, securities or subscriptions, shall not be chargeable with any the duties upon stamp vellum, parchment or paper; any former law or statute to the contrary notwithstanding.

and take subscriptions for that purpose.

Their securities not chargeable with the stamp-duties

XL. And it is hereby enacted by the authority aforesaid, That if any person or persons shall forge or counterfeit any of the Exchequer-bills made forth, or to be renewed, as aforesaid, or any endorsement or writing thereupon, or tender in payment any such forged or counterfeit bill, or any Exchequer-bill with such counterfeit endorsement or writing thereupon, or shall demand to have such counterfeit bill, or any Exchequer-bill with such counterfeit endorsement or writing thereupon, exchanged for ready money by the said governor and company of the bank of *England*, or their successors, or by any receiver or collector, as aforesaid, knowing the bill so tendered in payment or demanded to be exchanged, or the endorsement or writing thereupon, to be forged or counterfeited, and with intent to defraud his Majesty, his heirs or successors, or the said governor and company, or any other person or persons, body politick or corporate, then every such person or persons, so offending (being thereof lawfully convicted) shall be adjudged a felon, and shall suffer as in cases of felony without benefit of clergy.

Forging, &c. Exchequer-bills, &c. felony.

XLI. And it is hereby further enacted, That the said governor and company of the bank of *England* shall, from time to time, have the use and custody of one part of all the cheques, indents, or counterfoils of all the Exchequer-bills to be current on this act, and from which the said bills are cut, in order to prevent their being imposed upon by counterfeited or forged bills; and that when any of the same bills shall be discharged and cancelled, such parts of the said cheques, indents, or counterfoils, as shall relate to the bills so discharged and cancelled, shall, from time to time, be delivered back into the receipt of Exchequer by the said governor and company of the bank of *England*, or their successors.

Bank to have the indents or counterfoils of the bills.

for the annuities at 5 per cent.

and for paying the 4000 l. per annum to the riffs.

same excepted subsidies and other duties, all the payments which shall after such redemption grow due for or upon the said yearly sum of fifty four thousand six hundred pounds, for payment of annuities, as aforesaid; and also for answering and paying out of the same excepted subsidies and other duties, all the payments which shall after such redemption grow due, for or upon the said yearly sum of four thousand pounds to be issued to the riffs, as aforesaid; which annuities or yearly sums are to continue for ever, except such of them as shall be redeemed by parliament according to other acts in that behalf; and the said excepted subsidies and duties so to be continued for answering the payments of the said yearly sums of one hundred and twenty thousand pounds, and fifty four thousand six hundred pounds, and four thousand pounds *per annum*, or so much thereof as shall be sufficient to pay the same, are and shall be hereby appropriated, issued and applied thereunto, during the continuance of the same yearly sums respectively; any thing herein contained to the contrary notwithstanding.

The annuities may be separately redeemed.

XLVIII. Provided nevertheless, That nothing in this act contained, for or concerning the redemption of any of the said annuities or yearly sums hereby payable to the said governor and company of the bank of *England*, shall in any ways prevent or hinder the redemption of any other of the same annuities or yearly sums to them payable by this act, but that every one of the said annuities or yearly sums may separately be redeemed at the time and in the manner by this act prescribed, according to the respective proviso herein contained for redemption of the same; any thing in this act to the contrary notwithstanding.

Bank to continue a corporation till the annuities be redeemed, &c.

XLIX. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall continue and be a corporation, and shall enjoy the said several annuities or sums of eighty eight thousand seven hundred fifty one pounds seven shillings and ten pence halfpenny, one hundred thousand pounds, and seventy six thousand eight hundred thirty pounds and fifteen shillings *per annum*, and the said other annuity or annuities after the rate of five pounds *per centum per annum*, till they respectively shall be redeemed, as aforesaid, and shall enjoy all such capacities, powers, privileges, and advantages to the said governor and company of the bank of *England*, as a corporation, belonging, until all the said annuities or yearly sums shall be redeemed according to the several and respective provisos in this act contained concerning the same, freed and discharged of and from all former and other provisos and power of redemption whatsoever, for redeeming the said duties or revenues, called the aggregate fund, or the said duties on houses, or any of them; any former act or statute, or any clause, matter or thing in this act contained to the contrary notwithstanding.

L. And for the better encouragement of such persons and corporations as are or shall be willing to advance monies for or towards paying off any part of the principal sums amounting in the whole to eight mil-

lions

ions seven hundred sixty two thousand six hundred and twenty five pounds, or thereabouts, now carrying interest after the rate of six pounds per centum per annum, upon several acts of parliament made and passed in the ninth and tenth years of her said late Majesty's reign, relating to several lotteries, and charged upon the several year-funds of one hundred thirty five thousand pounds, one hundred eighty six thousand six hundred and seventy pounds, one hundred sixty eight thousand and three pounds, and one hundred sixty eight thousand and three pounds therein respectively mentioned; or for redeeming the annuities payable by an act of parliament of the twelfth year of the reign of his late majesty King William (of glorious memory) to certain patentees therein named, their heirs and assigns, out of the weekly sum of three thousand seven hundred pounds charged on the excise; for which monies so to be advanced for the purposes aforesaid, it is intended that the persons or corporations advancing the same, his, her, or their executors, administrators, successors, or assigns, shall have and enjoy annuities, not exceeding the rate of five pounds per centum per annum, redeemable by parliament, according to such act or acts of parliament as shall be made and passed in that behalf: it is hereby declared and enacted by the authority aforesaid, That the governor and company of the bank of England shall, from time to time, until the said annuities, not exceeding the rate of five pounds per centum per annum, so to be purchased, shall be redeemed by parliament, appoint and employ one sufficient person within their office in the city of London to be their chief or first cashier, and one other sufficient person within the same office to be their accountant general; and that the monies from time to time coming into the receipt of the Exchequer for payment of such annuities, shall be issued and paid quarterly to such first or chief cashiers for the time being, by way of imprest and upon account, for payment of the same annuities; and that such accountant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier and the vouchers relating thereunto, in order to prevent any fraud, negligence or delay; and that all the monies to be advanced, as aforesaid, for such annuities, shall be one capital or joint stock on which the said annuity shall be attending; and that all persons and corporations, in proportion to the said monies by them respectively advanced, shall have a share in such stock, and in the proportional annuity attending the same; and that all such shares shall be assignable, transferrable and deviseable in the same manner as is prescribed by act of parliament made in the first year of his Majesty's reign touching the annuities after the rate of five pounds per centum per annum herein mentioned; and that no stamp-duties whatsoever shall be chargeable on such transfers; and that the said governor and company of the bank of England, (notwithstanding the redemption of all or any of their own funds or annuities) shall continue a corporation, to all intents and purposes, relating only to the receiving, paying or accounting for the said annuities, not exceeding the said rate of five pounds per centum per annum last mentioned, till the same shall be redeemed by parliament, in such

9 Ann. c. 6.
10 Ann. c. 19.

12. & 13 W. 3.
c. 12.

Bank to employ sufficient persons to be their chief cashier and accountant general.

Annuities one capital stock.

Shares assignable, &c.
1 Geo. 1. stat.
2. c. 21.
No stamp duties for transfers, &c.

such proportions, and according to such act or acts as shall be made or passed concerning the same; and that no fees or gratuity shall or may be demanded or taken of any of his Majesty's subjects for paying the said annuities last mentioned, or for any such transfers; nevertheless the commissioners of the treasury, or high treasurer for the time being, shall have power to allow out of the monies to be impressed, as aforesaid, such salaries and allowances as they shall think reasonable, to the said cashier and accountant general for the time being respectively, for their pains and charges relating to the payments and accounts of the said annuities so to be purchased after a rate not exceeding five pounds *per centum per annum*, as aforesaid, and the charges of passing such accounts, and being discharged of the same.

Transfers not liable to higher stamp-duties than are now payable.

LI. And it is hereby enacted and declared by the authority aforesaid, That all transfers or assignments of stock or additional stock in the books of the said governor and company, shall not hereafter be or be made liable to any higher or greater duties than are now payable for the same.

Exchequer-bills of 5000 l. each, (not exceeding 50) to be delivered to the bank in lieu of lesser bills of the like value,

LII. And be it further enacted by the authority aforesaid, That for the greater ease and dispatch of the publick business at the Exchequer, it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or for the high treasurer, or any three or more of the commissioners of the treasury for the time being, and they are hereby authorized and enjoined, upon request to be made by the said governor and company, or their successors, to cause Exchequer-bills of five thousand pounds each (so as they do not exceed fifty such bills in the whole, over and above the bills for five thousand pounds each made forth by any former act of parliament in that behalf) to be made forth at the receipt of the Exchequer, and to be delivered to the said governor and company in lieu of the like value of the principal contained in Exchequer-bills for lesser sums now standing out, as aforesaid, to be delivered up at the same time by the said governor and company to be cancelled and discharged, and to be kept there; which new bills of five thousand pounds each, shall be current only in payments between the Exchequer and the bank of *England*, and in all other respects shall be subject to the same rules, methods, continuance, power of redemption, and carry the like interest, and have the same security, benefits and advantages; and the same pains of death, and other pains, penalties and forfeitures for any crime or offence relating thereunto, shall be inflicted, incurred and put in execution, as if they had been bills originally issued, in pursuance of the said former acts, or any of them; any thing therein contained to the contrary notwithstanding.

current only between the Exchequer and the bank.

Bank may assign the annuities,

LIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said governor and company, and their successors, at any time or times, by writing under their common seal, to assign the said annuities of eighty eight thousand seven hundred and fifty one pounds seven shillings and ten pence halfpenny, and one hundred thousand pounds

ounds by this act granted, as aforesaid, or either of them, or any part of or interest in them, or either of them, or in any part hereof, as also such annuities after the rate of five pounds *per annum*, and the said two millions five hundred thousand pounds, or so much thereof as shall be advanced by the said governor and company in pursuance of this act, or any part of such as mentioned annuities, to any person or persons whatsoever, and *to toties quoties*; which said assignments shall not be revokable or subject to any tax; so always that an entry or memorandum of such assignments as shall be so made, be made in a book or books or that purpose in the office of the auditor of the receipt of the Exchequer; for which entry no fee or reward shall be taken.

so as they enter such assignments in a book in the auditor's office.

LIV. Provided always, and it is hereby enacted and declared by the authority aforesaid, That nothing in this act contained shall hinder or obstruct, or be construed to hinder or obstruct the making good any deficiency or deficiencies, which at any time or times shall happen of or in the yearly fund of one hundred and sixteen thousand five hundred seventy three pounds twelve shillings mentioned in an act of parliament of the first year of his Majesty's reign, intituled, *An act for rectifying mistakes in the names of the commissioners for the land-tax for the year one thousand seven hundred and fourteen; and for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery for the publick service in the said year*, but that every such deficiency shall and may be made good and satisfied out of any the publick unappropriated monies, as if this act had never been made; any thing herein contained to the contrary notwithstanding.

Not to obstruct the making good the deficiencies which may happen in the yearly fund of 116,573 l. 12 s. 1 Geo. 1. stat. 1. c. 2.

LV. And it is hereby declared and enacted by the authority aforesaid, That any vote or resolution of the house of commons, signified by the speaker of the said house in writing, and delivered at the publick office of the said governor and company, or their successors, shall be deemed and adjudged to be a sufficient notice within the words and meaning of this act; any thing herein contained to the contrary notwithstanding.

Vote of the house of commons, signified by their speaker, a sufficient notice.

LVI. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend to prevent or hinder the payment of the sum of twenty thousand pounds *per annum*, which his Majesty in his great goodness hath been graciously pleased to grant or appoint to his royal highness the prince of Wales, by letters patents bearing date the first day of October in the second year of his Majesty's reign; but that the same shall be issued and paid from time to time by the commissioners of the treasury, or the treasurer and under-treasurer of the Exchequer for the time being, out of the yearly sum of one hundred and twenty thousand pounds by the said former acts of parliament appointed, and by his act continued, for the service of his Majesty's household and family, and other his necessary occasions, in the same form and manner as the same hath been issued and paid hitherto, as if this act had never been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

This act not prejudice the payment of 20000 l. per annum out of the Exchequer, to his royal highness.

CAP. IX.

An act for redeeming the duties and revenues which were settled to pay off principal and interest on the orders made forth on four lottery acts passed in the ninth and tenth years of her late Majesty's reign; and for redeeming certain annuities payable on orders out of the hereditary excise, according to a former act in that behalf; and for establishing a general yearly fund, not only for the future payment of annuities at several rates to be payable and transferrable at the bank of England, and redeemable by parliament, but also to raise monies for such proprietors of the said orders as shall choose to be paid their principal and arrears of interest in ready money; and for making good such other deficiencies and payments as in this act are mentioned; and for taking off the duties on linseed imported, and British linen exported.

Ann. c. 6.
Further provisions for the funds settled by this act are made by

4 Geo. 1. c. 10.

5 Geo. 1. c. 3.

& 6 Geo. 1.

c. 4, 10, 17, &

13 Geo. 1. c. 3.

MOST gracious Sovereign, Whereas by an act of parliament made and passed in the ninth year of the reign of her late majesty Queen Anne, (of blessed memory) several customs, subsidies or duties were revived, continued and made payable for and upon certain goods and merchandises which should be exported from Great Britain from and after the eighth day of March in the year of our Lord one thousand seven hundred and ten, during the term of thirty two years from thence next ensuing (except as therein is excepted) and a duty of twelve pence per hundred weight was thereby imposed upon the exportation of leather, sheep skins and calve skins, tanned, sawed or dressed, which were thereby permitted to be bought and exported during the same term: and it was thereby enacted, That several duties therein mentioned (and none other) should be payable for all coals, which during the said term should be exported or shipped to be exported beyond the seas; and that during the said term there should be raised and paid for and upon all coals, culm and cynders (except as therein is excepted) which should be shipped or waterborn, and carried from any port or place in Great Britain, to any other port or place within the same; and for all coals (if any such be) which should be imported into Great Britain from any foreign parts, the respective duties therein mentioned; and that there should be raised and paid for and upon all candles, which during the term of thirty two years, to be reckoned from the twenty fifth day of March in the year of our Lord one thousand seven hundred and eleven, should be imported or brought into Great Britain, or made within the same, the further duties therein mentioned: and it was thereby also enacted and declared, That the several duties imposed by the said act, and all the monies, which during the term of thirty two years, to be reckoned from the said eighth day of March one thousand seven hundred and ten, should arise of or for an hereditary duty of one per centum chargeable upon goods exported in certain ships to the Mediterranean sea, and of or for another hereditary duty formerly imposed on white woollen cloths, should

should be liable, and they are thereby appropriated for or towards making good a certain fund of one hundred thirty five thousand pounds per annum thereby settled or intended to be settled during the term of thirty two years (which commenced from the five and twentieth day of March one thousand seven hundred and eleven) for answering and paying all and every the principal sums therein after mentioned, amounting in the whole to nineteen hundred twenty eight thousand five hundred and seventy pounds, together with interest for the same, after the rate of six pounds per centum per annum, to such persons as should contribute or advance the sum of fifteen hundred thousand pounds for carrying on the then war, or to those claiming from or under them, in the manner thereby prescribed: and it was thereby enacted, That any surplus or remainder of the monies arising by the rates and duties granted or appropriated by that act yearly (over and above the said yearly sum of one hundred thirty five thousand pounds) should be applied for or towards the discharging the said principal monies payable by virtue of that act: And whereas by an act made and passed in the said ninth year of her late Majesty's reign, for establishing a general post-office, it was enacted, That from and after the twenty ninth day of September one thousand seven hundred and eleven, during the term of thirty two years from thence next ensuing, the weekly sum of seven hundred pounds, out of the duties and revenues arising by that act, should be brought and paid into the receipt of the Exchequer, as is therein mentioned: and by another act of the said ninth year of her Majesty's reign, several duties were laid upon such hides and skins, and pieces of hides and skins, vellum and parchment as are therein specified, for the term of thirty two years, reckoned from the twenty fourth day of June one thousand seven hundred and eleven: and by another act of the same year a power was given for licensing such persons as, after the twenty fourth day of June one thousand seven hundred and fifteen, at any time or times within the term of thirty two years, should drive or keep any hackney-coach or coach-horses in London, Westminster, or the suburbs of the same, or within the parishes comprized within the weekly bills of mortality, not exceeding the number therein limited, reserving upon every such licence the weekly sum of five shillings to be paid monthly after its commencement, during the continuance thereof respectively; and a power was thereby given for licensing all such hackney-chairs, which after the twenty fourth day of June one thousand seven hundred and eleven, at any time or times within the term of thirty two years from thence next ensuing, should be kept and used for hire in London and Westminster, and the suburbs thereof, and within all the parishes and places comprized within the weekly bills of mortality, reserving upon every such licence the annual sum of ten shillings to be paid quarterly during the continuance of every such licence for a chair: and it was thereby enacted, That there should be throughout the kingdom of Great Britain, raised, levied and paid, several duties for vellum, parchment and paper, whereupon several things should be ingrossed, written or printed, or whereby several matters should be done (as is therein expressed) within or during the term of thirty two years, to be reckoned from the first day of August one thousand seven hundred and eleven;

6 Geo. I. c. 4.

Second lottery
9 Ann. c. 10.

9 Ann. c. 11.

9 Ann. c. 23.

- and that from and after the eleventh day of June one thousand seven hundred and eleven, during the term of thirty two years from thence next ensuing, there should be raised, levied and paid, for all playing cards and dice, which within or during the term last mentioned should be made fit for sale or use in Great Britain, or imported into the same, the duties therein mentioned; and that during the like term there should be paid a certain duty upon rock salt which should be put on board any ship or vessel in Great Britain, and exported to Ireland, or entred out for such exportation: and by the act last mentioned it
- 9 Ann. c. 23. was further enacted, That yearly and every year during the term of thirty two years (which commenced from the twenty ninth day of September one thousand seven hundred and eleven) the sum of one hundred eighty six thousand six hundred and seventy pounds, by or out of the monies to arise of or for the said weekly sum of seven hundred pounds out of the revenues of the general letter-office, and by or out of all the monies to arise of or for the said duties on hides and skins, and
- 9 Ann. c. 11. pieces of hides and skins, vellum and parchment, by virtue of the said other acts, or either of them, and by the said licences for hackney-coaches and chairs, and by the said particular duties upon stamp vellum, parchment and paper, and upon cards and dice, and upon the
- 10 Ann. c. 19. exportation of rock-salt for Ireland, granted as aforesaid, or to be made good by such ways and means as are therein mentioned, should be a yearly fund for answering and paying all and every the principal sums thereby appointed to be paid, amounting in the whole to two millions six hundred and two thousand two hundred pounds, together with interest for the same after the rate of six pounds per centum per annum, to such persons as should contribute or advance the sum of two millions for the service of the then war, and other her Majesty's occasions, or to those claiming from or under them in the manner thereby prescribed. And whereas by certain clauses contained in
- 10 Ann. c. 19. an act of the tenth year of her said late Majesty's reign, a power was given to licence an additional number not exceeding one hundred hackney chairs, which after the twenty fourth day of June one thousand seven hundred and twelve, at any time or times within or during the term of thirty two years from thence next ensuing, should be kept and used for hire within the cities and limits aforesaid, reserving upon every such licence the like yearly rent of ten shillings, payable quarterly, which rents are thereby added to the said fund for or towards payment of the principal and interest last mentioned. And whereas by an act of
- First lottery
10 Ann. c. 19. parliament made and passed in the tenth year of her said late Majesty's reign, it was enacted, That there should be raised and paid for and upon all sope, which during the term of thirty two years, to be reckoned from the tenth day of June one thousand seven hundred and twelve, should be imported into or made in Great Britain, the respective duties therein specified; and for and upon all paper of what kind soever, and all pastboards, mildboards and scaleboards; and all books, prints and maps, which during the term of thirty two years, to be reckoned from the twenty fourth day of June one thousand seven hundred and twelve, should be imported into Great Britain, several duties therein particularly expressed; and for and upon all paper of what kind soever, and upon all pastboards, mildboards and scaleboards.

which during the term last mentioned should be made in Great Britain, several duties therein also particularly expressed; and for and upon all chequered and striped linens, and upon all linens printed, painted, stained or dyed in any foreign parts, which during the term of thirty two years, to be reckoned from the twentieth day of July one thousand seven hundred and twelve, should be imported into Great Britain, and might lawfully be used or worn there, a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof; and for and upon all silks, callicoes, linens and stuffs, which during the term last mentioned should be printed, stained, painted, or dyed in Great Britain (except as therein is excepted) several duties therein expressed; and for the several and respective things therein particularly mentioned, which at any time or times within or during the term of thirty two years, to be reckoned from the first day of August one thousand seven hundred and twelve, should be ingrossed, printed or written, the several and respective duties therein particularly specified: and it was thereby enacted, That yearly and every year, during the term of thirty two years (which commenced from the twenty ninth day of September one thousand seven hundred and twelve) the full sum of one hundred sixty eight thousand and three pounds, by and out of the monies of the several duties by that act granted, or to be made good, as is therein mentioned, should be a yearly fund for or towards answering and paying off all and every the principal sums therein mentioned, amounting in the whole to two millions three hundred forty one thousand seven hundred and forty pounds, with interest after the rate of six pounds per centum per annum, to such persons as should contribute or advance the sum of eighteen hundred thousand pounds for carrying on the then war, or to those claiming from or under them in the manner thereby prescribed. And whereas by an act made and passed in the said tenth year of her said late Majesty's reign, it was enacted, That there should be raised and paid for and upon such skins and hides, and pieces of skins and hides, and for and upon such made wares therein described, as during the term of thirty two years, to be reckoned from the first day of August one thousand seven hundred and twelve, should be imported into Great Britain, the additional rates or new duties therein particularly expressed; and for and upon all such skins and hides, and pieces of skins and hides therein described, as during the same term should be tanned, tawed or dressed in Great Britain, the additional rates or new duties therein also particularly expressed; and for and upon all vellum and parchment, which during the same term should be made in Great Britain, or imported into the same, such additional rates or new duties as are therein specified; and for and upon all starch, which during the same term should be imported into or made in Great Britain, the respective duties therein mentioned; and for and upon all coffee, tea and drugs (except as therein is excepted) which within or during the term of thirty two years, to be reckoned from the sixteenth day of June one thousand seven hundred and twelve, should be imported into Great Britain, the new duties therein expressed; and for and upon all gilt and silver wire, which during the term of thirty two years, to be reckoned from the first day of July one thousand seven

Second lottery
10 Ann. c. 26.

hundred and twelve, should be imported into or made in Great Britain, the respective duties therein mentioned; and for and upon every policy of assurance, which during the term of thirty two years to be reckoned from the first day of August one thousand seven hundred and twelve, should be made or entred into within the cities of London and Westminster, or elsewhere within the limits of the weekly bills of mortality, an additional duty therein expressed: and it was thereby enacted, That yearly and every year, during the term of thirty two years, which commenced from the twenty ninth day of September one thousand seven hundred and twelve, the sum of one hundred and sixty eight thousand and three pounds, by and out of the monies of the several duties by that act granted, or to be made good, as is therein mentioned, should be a yearly fund for or towards answering or paying off all and every the principal sums therein mentioned, amounting in the whole to two millions three hundred forty one thousand nine hundred and ninety pounds, with interest after the rate of six pounds per centum per annum, to such persons as should contribute or advance the sum of one million eight hundred thousand pounds for her Majesty's supply, or to those claiming from or under them, in the manner thereby prescribed. And whereas by the several acts before recited, it was provided, That if the several duties by them respectively granted or appropriated, for raising the several yearly funds by them established or intended to be established, should at the end of any one year appear to be deficient for answering the said yearly funds respectively, that then such deficiencies should be made good out of the next aids to be granted in parliament, or otherwise, as by the same acts respectively is prescribed: and her said late Majesty by the same acts respectively, was authorized to appoint managers or directors, who, or some of them, were thereby respectively directed to prepare lottery tickets, and to cause the said lottery tickets to be drawn in such several manners as were thereby appointed, and to transmit into the office of the auditor of the receipt of the Exchequer, books containing the names, surnames and places of abode, of the persons, which upon such drawings should be intitled to such fortunate or beneficial lots as are therein set down; and that the same persons, their executors, administrators and assigns respectively, should have, receive and enjoy, out of the said respective funds, the principal monies which should be entred in such books for them respectively, in course or courses, and the interest thereof by such payments as in the said acts are severally prescribed; and that the other contributors or adventurers, upon the said several acts (not having fortunate lots) their executors, administrators and assigns, respectively should have, receive and enjoy, out of the said respective funds, such principal monies, in course or courses, and such interest, as in and by the said lottery acts respectively were prescribed for them severally to have, receive and enjoy; and by the same acts it was severally directed, that the said tickets should be exchanged for standing orders, and that such orders should be registred, and be assignable; and that during the several terms therein mentioned, (unless the principal and interest directed to be paid by the said several acts, should be sooner paid off) the said duties should be severally applied for answering the said principal and interest, and other purposes therein mentioned:

tioned: and in the several acts for the said lotteries are contained several provisoes or clauses, importing, that if before the end of the respective terms of thirty two years therein mentioned, all the principal and interest monies payable by virtue of the same acts respectively, should be fully paid and discharged, or sufficient money should be reserved in the Exchequer for payment thereof, that then and in such case, and from thenceforth the duties by the same acts respectively granted or charged therewith, should cease, or be disposeable by authority of parliament, and not otherwise, as by the said several acts, relation being thereunto severally had, doth and may more fully and at large appear. And whereas the said several sums of one million five hundred thousand pounds, two millions, one million eight hundred thousand pounds, and one million eight hundred thousand pounds, were advanced for the publick service, upon the several acts before-mentioned, and the tickets thereby directed were made forth and drawn, and books were transmitted, or are to be transmitted into the Exchequer by the said managers or directors, or by some other persons appointed thereunto, in pursuance of acts of parliament in that behalf; and the said several sums of one million nine hundred twenty eight thousand five hundred and seventy pounds, two millions six hundred and two thousand two hundred pounds, two millions three hundred forty one thousand seven hundred and forty pounds, and two millions three hundred forty one thousand nine hundred and ninety pounds, became payable as principal monies, with interest, after the said rate of six pounds per centum per annum, to the several contributors or adventurers, or to claimants from or under them, according to their several shares therein, and standing orders have been or are to be made forth for the same. And whereas several sums amounting to one million six hundred sixty six thousand and seventy pounds, or thereabouts, (part of the said principal sum of one million nine hundred twenty eight thousand five hundred and seventy pounds) and two millions five hundred twenty five thousand nine hundred and seventy pounds, or thereabouts, (part of the said principal sum of two millions six hundred and two thousand two hundred pounds) and two millions two hundred fifty eight thousand five hundred and twenty pounds, or thereabouts, (part of the said principal sum of two millions three hundred forty one thousand seven hundred and forty pounds) and two millions three hundred and twelve thousand and sixty five pounds, or thereabouts, (part of the said principal sum of two millions three hundred forty one thousand nine hundred and ninety pounds) do upon the fourth day of March one thousand seven hundred and sixteen, remain unsatisfied; which principal sums so remaining unsatisfied, do amount in the whole to eight millions seven hundred sixty two thousand six hundred twenty five pounds, or thereabouts, carrying interest after the said rate of six pounds per centum per annum. And whereas in and by an act of parliament made and passed in the twelfth year of the reign of his said late majesty King William, it was (amongst other things) provided and enacted, That in lieu and discharge of certain perpetual annual payments, and of all arrears thereof granted by his late majesty King Charles the Second, by letters patents out of the hereditary revenue of excise, in satisfaction of certain principal sums

Annuities on
hereditary ex-
cise by 12 W.
3. c. 12.

s & 3 Ann.c.3.

mentioned in the said letters patents to be then due from his said late Majesty, to the respective patentees therein named, the said hereditary revenue of excise should, from and after the twenty sixth day of December one thousand seven hundred and five, be and stand charged and chargeable for ever with the payment of annual sums after the rate of three pounds per centum per annum, for the principal sums mentioned in the said respective letters patents, to be issued and paid out of the said revenue by quarterly payments out of the receipt of the Exchequer by the officers of the same, unto the respective owners and proprietors of the said annual sums, and to their heirs and assigns for ever, without any fee or charge; the said annual payments, after the rate of three pounds per centum per annum, to be subject nevertheless to be redeemed upon payment of a moiety of the principal sums mentioned in the said respective letters patents: and by or in pursuance of an act made in the second year of the reign of her said late majesty Queen Anne, the respective proprietors have or ought to have standing orders for payment of the annuities last mentioned, quarterly, until the same shall be redeemed, as aforesaid, free from all taxes and impositions whatsoever. And whereas the whole of all the sums mentioned in the said letters patents, did amount to one million three hundred twenty eight thousand five hundred and twenty six pounds, and the moiety thereof, for which the said annual sums are redeemable, doth amount to six hundred sixty four thousand two hundred sixty three pounds, and the said annual sums, after the rate of three pounds per centum per annum, wherewith the said hereditary revenue is now charged, or liable to be charged, till such redemption, doth amount to thirty nine thousand eight hundred fifty five pounds fifteen shillings seven pence and one fifth part of a penny per annum, (which is equal to a rate of six pounds per centum per annum for the said sum of six hundred sixty four thousand two hundred sixty three pounds.) And whereas since the making of the several acts herein above recited, the common rate of interest for money is very much lessened, so that it is become just and reasonable for the publick to have and enjoy as well the benefit of redeeming the said several duties and revenues charged or chargeable with the said lottery orders so remaining unsatisfied, as also the benefit of redeeming the said annual sums now payable out of the hereditary excise. And whereas the proprietors of the said lottery orders, or several of them, are or may be willing and desirous to accept (in lieu and discharge thereof) an annuity or annuities after the rate of five pounds per centum per annum redeemable by parliament, and the proprietors of the said annual sums now charged or chargeable upon the said hereditary excise, or several of them, are or may be also willing and desirous to accept (in lieu and discharge thereof) an annuity or annuities after the rate of five pounds per centum per annum, redeemable by parliament, and to be computed only upon one moiety of their respective principal sums (by the payment of which moieties, their annual payments, after the rate of three pounds per centum per annum, were formerly made redeemable, as aforesaid:) and several of the proprietors of the said lottery orders are or may be willing and desirous to have their principal and interest due thereupon, paid and satisfied to them in ready money; and several of the

*the proprietors of the said annual sums payable out of the hereditary excise, are or may be also willing and desirous to have the moiety of the principal monies (for which the same are redeemable, as aforesaid) paid and satisfied to them in ready money; and several persons or corporations are or may be willing to advance ready monies for the purposes aforesaid, and for other the purposes in this act particularly mentioned, so as they respectively for their monies so to be advanced may have such annuities as are herein after expressed, secured to them respectively, until redemption thereof by parliament, according to the true meaning of this act: now to the end a good, sure and sufficient fund and security may be settled and established for the due, regular, and constant payment of all the annuities which shall be payable by or in pursuance of this act, until such several and respective redemptions, as aforesaid, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do most humbly pray your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That all such or the like customs, subsidies, impositions, additional impositions, rates, duties, additional rates and duties, and all proportional parts of any duties, and all revenues and weekly or other payments out of any duties or revenues which were granted, imposed, appropriated, or directed by the said several recited acts, and every of them, or by any other act or acts of parliament now in force, for such several and respective terms of years as are therein mentioned, for or towards the answering, paying, securing, or making good the said several and respective funds of one hundred thirty five thousand pounds *per annum*, one hundred eighty six thousand six hundred and seventy pounds *per annum*, one hundred sixty eight thousand and three pounds *per annum*, and one hundred sixty eight thousand and three pounds *per annum*, or for or towards payment of the principal and interest monies on the said lottery orders, and for or towards answering or paying the said annual sums amounting to thirty nine thousand eight hundred fifty five pounds fifteen shillings seven pence and one fifth part of a penny *per annum*, (except as in the said several acts or any of them is excepted, and except such of the said duties or revenues as are since taken away by any other act or acts of parliament in that behalf) shall continue and be paid and payable to his Majesty, his heirs and successors for ever, for the purposes in this act prescribed and directed; and that such of the hereditary duties mentioned in the said former acts of parliament, or any of them, as during the respective terms of years therein expressed were appropriated or directed to be applied, for or towards the payment of the said yearly funds or sums, or any of them, shall also continue and be paid and payable to his Majesty, his heirs and successors for ever, for the purposes in this act prescribed and directed; and that all and every the powers, which, in and by the said former acts, or any of them, were vested, or intended to be*

Duties, &c.
granted for
making good
the several
lottery funds,
&c.
continued,
9 Geo. 1. c. 5.

with like powers to grant
licences, and
vested

to do other
things for rais-
ing the said
revenues :

vested in her said late Majesty, or such commissioners or others, as she should appoint, for granting licences, or doing any other matters or things in order to raise any the duties or revenues hereby intended to be continued and made perpetual, shall be and are, by force and virtue of this act, revived and vested in his Majesty, his heirs and successors, and his and their commissioners, in the same manner, for raising the same duties or revenues respectively for the purposes in and by this act prescribed and directed; and that all other powers, authorities, rules, directions, penalties, forfeitures, disabilities, clauses, matters, and things whatsoever, contained in the said former acts of parliament, and every or any of them, now being in force, for raising, collecting, levying, recovering, answering, paying, and accounting for the said customs, subsidies, impositions, rates, duties, and additional rates and duties, and proportional parts of duties, and the said revenues, and weekly or other payments out of any duties or revenues granted, imposed, appropriated or directed for such several and respective terms of years, as aforesaid (except as is before excepted) shall be revived, and be for ever continued, practised, and put in execution, for raising, collecting, levying, recovering, answering, paying, and accounting for the said customs, subsidies, impositions, rates and duties, additional rates and duties, proportional parts, and the said weekly and other payments out of any duties or revenues by this act intended to be continued and made perpetual, for the purposes in and by this act prescribed and directed, as fully and effectually as if the same powers, authorities, rules, directions, penalties, forfeitures, disabilities, clauses, matters and things, were at large repeated and particularly re-enacted in the body of this present act; the said former acts, or any of them, or any thing therein contained to the contrary notwithstanding: nevertheless the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments, and every of them, by this act intended to be continued and made perpetual, as aforesaid, shall be subject to such provisos and powers of redemption as are hereafter in and by this act contained and prescribed of and concerning the same.

But subject to
redemption.
9 Geo. 1. c. 5.

All the monies
to be brought
into the Ex-
chequer and
registred
there.

II. And be it further enacted by the authority aforesaid, That all the monies arising of or for the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments, hereby intended to be continued and made perpetual, subject to such redemption as aforesaid, (except the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same) shall, from time to time, be brought into the receipt of the Exchequer for the uses and purposes in this act prescribed; and shall, from time to time, be fairly and distinctly entred and registred in one or more book or books to be kept in the offices of the auditor of the receipt and clerk of the pells, severally for that

that purpose, to which all persons concerned, at all seasonable times, shall have free access, without fee or charge.

III. And it is hereby also enacted, That all the monies, which, from and after the twenty-ninth day of September one thousand seven hundred and seventeen, shall be brought into the Exchequer, or shall be then remaining there, of or for the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments, by this and the said former acts, or any of them, granted or continued, as aforesaid, (except the necessary charges of issuing and applying the said monies to the same uses and purposes, and rendering the accounts thereof) shall be and are hereby appropriated, and shall be issued and applied to and for the payment and satisfaction of such annuities as shall be payable by virtue of this act, and making such other payments as are hereby directed, in their due order, method and form, and with such preferences, and subject to such redemptions, as are in and by this act prescribed of and concerning the same respectively, and without any fee or charge whatsoever to be demanded of or paid by the respective persons or corporations, who are to receive the said monies; and that the respective officers of the Exchequer, who shall make any delay in issuing or paying the same, or shall be guilty of diverting or misapplying any of the said monies, contrary to this act, for any such offence shall be forejudged from their respective offices or places, and be rendered incapable to serve his Majesty, his heirs and successors, in any office or employment of trust or profit whatsoever, and shall also be liable to pay double the value of any sum or sums of money so delayed, diverted, or misapplied, to the party grieved, to be recovered by action of debt, or upon the case, bill, suit or information, in any his Majesty's courts of record at *Westminster*, wherein no essoin, protection, wager of law, or more than one imparlance shall be granted and allowed.

The monies arising after 29 Sept. 1717. appropriated for payment of annuities payable by this act, &c.

IV. And whereas the said yearly sums of one hundred thirty-five thousand pounds, one hundred eighty-six thousand six hundred and seventy pounds, one hundred sixty-eight thousand and three pounds, one hundred sixty-eight thousand and three pounds, and thirty-nine thousand eight hundred fifty-five pounds fifteen shillings seven pence and one fifth part of a penny, adding thereunto the above-mentioned surplus or remainder of the duties granted by the act of the ninth year of her late Majesty's reign first above recited (which surplus or remainder was thereby also made applicable towards discharging the principal monies payable by virtue of that act, and communibus annis bath amounted to twenty-seven thousand three hundred and seventeen pounds eleven shillings and three pence per annum) do amount in the whole to seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny per annum : now it is hereby further enacted by the authority aforesaid, That yearly and every year, reckoning the first year to begin from the feast of St. Michael the arch-angel in the year of our Lord one thousand seven hundred and seventeen, and from thenceforth

9 Ann. c. 6.

724,849l. 6s. 10 $\frac{1}{5}$ d. shall be the general yearly fund. Explained by 5 Geo. 1. c. 1. See 5 Geo. 1. c. 19.

thenceforth for ever (subject nevertheless to such provisos and powers of redemption as are hereafter in this act contained) the full sum of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny, by or out of the monies arising of or for the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments by this act appropriated and directed to be brought, from time to time, into the Exchequer, as aforesaid, in case the same shall extend to the said sum of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, shall be computed and reckoned to be a general yearly fund; and in case all the monies so arising into the Exchequer of or for the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments, shall not amount to seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, then the monies so arising, so far as the same will extend, shall be part of the said general yearly fund of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, for and towards the answering and paying all the annuities and payments by this act charged or chargeable thereupon; and in case all the monies by this act appointed or appropriated, as aforesaid, shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year to be reckoned, as aforesaid, the said monies so arising into the Exchequer of or for all the said customs, subsidies, impositions, rates, duties, additional duties, proportional parts, weekly and other payments, shall not amount to so much as seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny, that then, and so often, and in every such case, so much as shall be wanting to make up the said general fund or sum of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny, for every or any such year, shall be supplied and made good, from time to time, by and out of the first aid or supply to be granted in parliament next after such deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as the same shall be granted.

Deficiencies shall be made good out of the first aids granted by parliament.

Managers and directors to prepare books for subscriptions, &c.

V. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them, or the high treasurer of *Great Britain* for the time being, and they respectively are hereby authorized and required, by writing under their respective hands, to constitute and appoint such able and fit persons, and such or so many of them, as the said commissioners of the treasury, or any three or more of them, or the said high treasurer for the time being, shall, from time to time, think

think fit, to be managers or directors, for preparing books, and for overseeing the subscriptions to be taken therein, and for doing and performing such other matters and things as are by this Act directed and appointed by such managers and directors to be done and performed; and that the managers or directors so to be constituted, shall, according to such directions as they shall receive in writing from the said commissioners of the treasury, or any three or more of them, or from the said high treasurer for the time being, prepare books, and open the same at some convenient publick office or offices (whereof notice shall be given by writing, to be affixed upon the *Royal Exchange* in *London*, and also to be inserted in the *London Gazette*, so that none may pretend ignorance) for taking such subscriptions as are to be taken therein, pursuant to this act, within the time hereby limited in that behalf.

VI. Provided always, That the said commissioners of the Treasury to treasury, or high treasurer for the time being, shall or may direct the sub- cause the said books to be opened for receiving the subscrip- tions relating to all the said yearly funds of one hundred thirty-five thousand pounds, one hundred eighty-six thousand six hundred and seventy pounds, one hundred sixty-eight thousand and three pounds, one hundred sixty-eight thousand and three pounds, and thirty-nine thousand eight hundred fifty-five pounds fifteen shillings seven pence and one fifth part of a penny, or such or so many of them at a time, as they the said commissioners of the treasury, or high treasurer for the time being, shall find to be most conducive to the publick service.

VII. And it is hereby enacted by the authority aforesaid, That the said books, after the opening thereof, shall constantly lie open at all seasonable hours; and the respective proprietors of the said lottery-orders, and of the said annual sums payable out of the said hereditary excise, or such person or persons as are or shall be impowered to subscribe for them, or any of them, shall have free access thereunto, and have liberty to make their respective subscriptions therein, according to this act, without any fee or charge whatsoever; and that the said managers or directors, or such or so many of them as shall be thereunto constituted as aforesaid, shall constantly attend and oversee the making of the said subscriptions, until the twenty-ninth day of *September* one thousand seven hundred and seventeen, unless the subscriptions for all the said lottery-orders, and the said annual sums charged on the hereditary excise, be sooner completed.

VIII. And be it enacted by the authority aforesaid, That such persons or corporations, being proprietors of such lottery-orders made forth, or to be made forth, as aforesaid, or any of them, who are or shall be willing and desirous to accept (in lieu and discharge thereof) an annuity or annuities after the rate of five pounds *per centum per annum*, redeemable by parliament, and such persons or corporations, being proprietors of the said annual sums charged or chargeable on the hereditary excise, or any of them, who are or shall be willing and desirous to accept

Treasury to
subscriptions.

The books to
lie open at sea-
sonable hours

Persons wil-
ling to accept
annuities of
5l. per cent.

(in

and those who
desire ready
money, may
make their
subscriptions
accordingly.

(in lieu and discharge thereof) an annuity or annuities after the rate of five pounds *per centum per annum*, to be redeemable by parliament, and to be computed only upon one moiety of their respective principal sums (by payment of which moieties their annual payments of three pounds *per centum per annum* were formerly made redeemable, as aforesaid) shall or may, by themselves respectively, or by such person or persons as they respectively have authorized or shall authorize, by writing in this behalf, declare and signify such his, her, or their desire or option under a proper preface in the book or books to be opened for that purpose, as aforesaid, by subscribing their names and places of abode, with other proper additions, within the time before-mentioned: and that such persons or corporations, being proprietors of such lottery-orders made forth, or to be made forth, as aforesaid, or any of them, who are or shall be desirous to have their principal and interest grown due to be paid to them in ready money, and such persons or corporations being proprietors of the said annual sums charged or chargeable on the hereditary excise, or any of them, who are or shall be desirous to have the said moiety of the said principal sums (for which they are redeemable, as aforesaid) paid to them in ready money, shall or may also by themselves respectively, or by such person or persons as they respectively have authorized or shall authorize, by writing in this behalf, declare and signify such his, her, or their desire or option under a proper preface in the said book or books to be opened for that purpose, by subscribing their names and places of abode with other proper additions, within the time herein before limited.

Executors, &c.
may subscribe
for those for
whom they are
entrusted.

IX. And it is hereby enacted and declared, That all executors, administrators, guardians and trustees, shall and may make, or cause to be made, subscriptions in the said books, either to have annuities or ready money, as aforesaid, for and on the behalf of their respective testators, intestates, or of infants, minors, femmes covert, or others, for whom they are or shall be respectively intrusted, and are and shall be by virtue of this act indemnified in and for doing the same.

Managers to
deliver the
subscription
books into the
Exchequer by
the last of Oc-
tober 1717.

X. And it is hereby also enacted by the authority aforesaid, That the said managers or directors shall, on or before the last day of *October* one thousand seven hundred and seventeen, deliver or cause to be delivered the said book or books which shall be opened, as aforesaid, with all the subscriptions therein, (such book or books being first attested under the hands and seals of two or more of the said managers or directors) to the auditor of the receipt of the Exchequer, to remain in his office for ever; and shall also, on or before the last day of *November* one thousand seven hundred and seventeen, deliver or cause to be delivered one duplicate (attested as aforesaid) of so much of the said book or books as shall contain the subscriptions of those who shall choose the said annuities of five pounds *per centum per annum*, to the chief cashier of the governor and company of the bank of *England*, and a like duplicate to their accountant general;

and a dupli-
cate to the
cashier of the
Bank, &c. by
30 Nov. 1717.
Treasury to
transmit lists
to the cashier,
&c. of such of
the orders for

eral; and the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall, before the twenty-fifth day of *December* one thousand seven hundred and seventeen, cause the proper officers to transmit lists (attested by such officers) to the said chief cashier and accountant general of the bank of *England* respectively, of all such of the said lottery-orders, and of all such of the said annual sums charged or chargeable on the excise, for which no such subscriptions shall be made, as aforesaid, within the time before limited; and that the said several duplicates and lists shall remain in the respective offices of the chief cashier and accountant general of the said governor and company for the time being, for their better guidance in making the payments and accounts, of and for the same annuities.

which no subscription has been made.

XI. And be it further enacted by the authority aforesaid, That the said accountant general for the time being shall, upon reasonable demand, deliver *gratis* to every proprietor of the said lottery-orders, or any of them, and of the said annual payments charged on the hereditary excise, or any of them, being comprehended or specified in the said duplicates or lists by this act required to be transmitted into his office as aforesaid, or to the respective assigns of such proprietors, a certificate thereof, to be grounded on the said duplicates and lists, or some of them, so as the lottery-order or the order charged on the excise (specified in such duplicates or lists) be at the same time delivered up to the said accountant general to be cancelled and made void; nevertheless all the said lottery-orders so cancelled shall be preserved by the said accountant general; and that any person or persons may have recourse to the same without fee or reward; and the same, or attested copies thereof, may be given in evidence in any court of law or equity.

Accountant general to deliver to every proprietor of orders a certificate,

so as such orders be delivered up to be cancelled.

XII. And it is hereby enacted by the authority aforesaid, That all and every the proprietors of the said lottery-orders, or any of them, and of the said annuities charged or chargeable on the excise, or any of them, by or from whom such subscriptions shall be made within the time herein before limited, signifying his, her or their option or willingness to accept such annuities in lieu thereof; and all and every other the proprietor and proprietors of the said lottery-orders charged on the yearly funds before-mentioned, or any of them, and all and every the proprietors of the said annual sums chargeable on the hereditary excise, or any of them, and the executors, administrators, successors and assigns of all and every the said proprietors respectively, (such proprietors of the said lottery-orders and annual sums of three pounds *per centum per annum*, or any of them, who, by such subscriptions as aforesaid to be made within the time before limited, shall choose to be paid in ready money, only and always excepted and foreprized) shall have, receive and enjoy, and be entitled, by virtue of this act, to have, receive and enjoy an annuity or annuities after the rate of five pounds *per centum per annum*, of lawful money of *Great Britain*, in

Proprietors to have annuities of 5l. per cent. in lieu of their lottery-orders, &c.

chargeable on
the general
fund,

and payable
quarterly till
redeemed.
By 4 Geo. 1.
c. 10. sect. 1.
these annui-
ties are paya-
ble half yearly.

Arrears of in-
terest to be
computed till
24 June 1717-

So much of
the 2,000,000l.
which the
South-Sea
company is to
advance, as
shall actually
be called for,
shall be applied
to discharge
the lottery-or-
ders, &c.
1 Geo. 1. c. 9.

in lieu and discharge of such their several and respective lottery-orders and annual payments, charged or chargeable as aforesaid; which annuities, after the rate of five pounds *per centum per annum*, shall be computed upon the said lottery-orders, for so much as shall be due and unpaid for principal or interest at and until *Michaelmas* one thousand seven hundred and seventeen inclusively, and shall be computed upon the said orders charged or chargeable on the hereditary excise for so much as the said moieties of the said principal sums (for which they were made redeemable) and the arrears of the said annual sums of three pounds *per centum per annum* (if any such arrears be) shall, at and until *Michaelmas* one thousand seven hundred and seventeen, amount unto; and that all the said annuities, after the rate of five pounds *per centum per annum*, shall be and are hereby charged upon, and shall be paid and payable out of the monies of the said general fund of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, by this act established, or intended to be established as aforesaid, by quarterly payments, at the four most usual feasts in the year, that is to say, the feasts of the birth of our Lord Christ, the annunciation of the blessed virgin *Mary*, the nativity of Saint *John* baptist and Saint *Michael* the archangel, by even and equal portions, or within six days after every of the said feast-days, for ever, or until redemption or redemptions thereof shall be made according to the provisos herein after contained in that behalf.

XIII. *And whereas it may happen that some of the said subscribers for annuities, at the time of making their subscriptions, may have arrears of the said interest, after the rate of six pounds per centum per annum, due to them upon computations to be made until and for the quarter ending at the feast of the nativity of Saint John baptist one thousand seven hundred and seventeen inclusively, it is hereby provided, declared and enacted by the authority aforesaid, That all such arrears of interest, to be computed until and for the quarter to end at the said feast of the nativity of Saint John baptist one thousand seven hundred and seventeen, (although some of them are payable at other feast-days) shall be paid and satisfied out of the monies of the said yearly funds, or any of them, arisen or to arise at any time before Michaelmas one thousand seven hundred and seventeen, without being converted into an annuity after the rate of five pounds per centum per annum as aforesaid.*

XIV. *And whereas the governor and company of merchants of Great Britain trading to the South Seas and other parts of America, and for encouraging the fishery, are obliged, in and by an act of this session of parliament, to advance and pay into the receipt of his Majesty's Exchequer such sum and sums of money, not exceeding in the whole the sum of two millions, at such times and by such proportions at a time, as the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall call for, in the manner therein mentioned, on or before the twenty-fourth day*

f December one thousand seven hundred and seventeen: now it is hereby enacted and declared by the authority aforesaid, That he said sum of two millions, or so much thereof as shall be called for, and be actually advanced and paid by the said governor and company of merchants of *Great Britain* into the receipt of his Majesty's Exchequer, in pursuance of that act, shall, by the said commissioners of the treasury, or any three or more of them, or by the high treasurer and under-treasurer of the Exchequer for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, be issued and applied for or towards the several uses and purposes herein after limited and appointed of or concerning the same; that is to say, for or towards the paying off and discharging the principal monies charged or chargeable on the said lottery-funds, every or any of them, and the interest payable for the same, until the payment of the said principal to the respective proprietors thereof, who shall choose to be paid in ready money as aforesaid; and for or towards the paying off and discharging the said moiety of the said principal sums (upon payment whereof the said sums, after the rate of three pounds *per centum per annum*, were formerly made redeemable as aforesaid) and all arrears which shall or may be due for or upon the said yearly sums, after the rate of three pounds *per centum per annum*, computing the same by the day until the said moieties respectively shall be so paid off unto the respective proprietors thereof, who shall also choose to be paid in ready money as aforesaid; or for or towards some of the said uses and purposes which shall require payment in ready money as aforesaid; and to and for none other use, intent or purpose whatsoever: and that the said governor and company of merchants of *Great Britain*, and their successors, for all and every sum and sums of money so to be called for, and by them to be actually advanced at the Exchequer, shall have, receive and enjoy, and be entitled to have, receive and enjoy such annuity and annuities, after the rate of five pounds *per centum per annum*, redeemable by parliament, out of such duties and revenues, or by such other ways and means, and in such manner and form, as in and by the said other act of this session of parliament are settled and prescribed for securing and paying the same.

Company to have annuities of *5l.* per cent. for the same.

XV. *And whereas the governor and company of the bank of England are obliged, in and by another act of this session of parliament, to advance and pay into the receipt of his Majesty's Exchequer such sum and sums of money, not exceeding in the whole the sum of two millions and five hundred thousand pounds, at such times and by such proportions at a time, as the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall call for, in the manner therein mentioned, on or before the twenty-fifth day of March one thousand seven hundred and eighteen: now it is hereby further enacted and declared by the authority aforesaid, That the said sum of two millions five hundred thousand pounds, or so much thereof as shall be called for, and shall be*

3 Geo. 1. c. 8.
So much of the sum of 2,500,000*l.* advanced by the Bank, as shall actually be called for, shall be applied to discharge the said orders on the lottery-funds, &c.

actually

actually advanced and paid by the said governor and company of the bank of *England* into the receipt of his Majesty's Exchequer, in pursuance of that act, shall, by the said commissioners of the treasury, or any three or more of them, or the high treasurer and under-treasurer of the Exchequer for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, be issued, applied and disposed for or towards the paying off and discharging the said principal monies charged or chargeable on the said lottery-funds, every or any of them, and the said interest payable for the same, until payment of the principal to the respective proprietors thereof, who shall choose to be paid in ready money as aforesaid; and for or towards paying off and discharging the said moieties of the said principal sums, upon payment whereof the said sums, after the rate of three pounds *per centum per annum*, are redeemable as aforesaid, and all arrears which shall or may be due for or upon the said yearly sums of three pounds *per centum per annum*, until the said moieties respectively shall be paid off unto the said proprietors thereof, who shall also choose to be paid in ready money as aforesaid; and for or towards the satisfying and paying off such particular debts and deficiencies as are hereafter in and by this act intended to be provided for, or some of them, and to none other use, intent or purpose whatsoever.

XVI. *And whereas it cannot certainly be known at the making of this act, how much money will be wanted to satisfy such proprietors as shall choose to be paid in ready money as aforesaid, or those claiming under them; and it may be necessary to raise monies (over and above what shall have been advanced by the said companies, or either of them, upon such calls as aforesaid) to satisfy and pay off all the said proprietors, who shall choose to be paid in ready money as aforesaid, or the claimants under them respectively, whereby a speedy end may be put to the high rates of interest and other allowances whereunto they are at present entitled: now to the end the service of the publick, in relation to the premisses, may in no event whatsoever be frustrated, disappointed or prejudiced, it is hereby further enacted by the authority aforesaid, That in case the commissioners of the treasury, or any three or more of them, or the high treasurer of Great Britain for the time being, shall find it necessary to raise monies (over and above what shall have been advanced by the said companies, or either of them, upon such calls as aforesaid) to pay off and discharge all the said proprietors of the said lottery-orders, and of the said orders charged on the hereditary excise, who at any time or times, on or before the said twenty-ninth day of September one thousand seven hundred and seventeen, shall appear to have made subscriptions for ready money as aforesaid, That then it shall and may be lawful so and for the said commissioners of the treasury, or any three or more of them, or the high treasurer of Great Britain for the time being, at any time or times, as well before as after the said twenty-ninth day of September one thousand seven hundred and*

If it be necessary to raise monies, above what advanced by the companies.

Treasury may at any time before or after 29 Sept. 1717, take in subscriptions for annuities at 5l. per cent.

and seventeen, to issue their respective warrant or warrants from time to time to the proper officers in the receipt of the Exchequer, for receiving or taking into the said receipt of Exchequer such sum and sums of money, as any person or persons, natives or foreigners, bodies politick or corporate, will advance and pay there for purchasing an annuity or annuities at a rate not exceeding five pounds *per centum per annum*, to be paid out of the said general fund by this act established, and to be redeemable by parliament according to this act; and the said commissioners of the treasury or high treasurer and under-treasurer of the Exchequer for the time being, are hereby authorized and required to issue and apply, or cause to be issued and applied, all the monies so to be advanced for or towards paying off the principal and interest upon the said lottery-orders, or any of them, and for or towards the paying off the said moiety and arrearages of the said annual payments of three pounds *per centum per annum*, charged or chargeable on the hereditary excise as aforesaid, and to and for none other use, intent or purpose whatsoever.

and apply the same for paying off the lottery-orders, &c.

XVII. Provided always, That all the monies so to be advanced for purchasing such annuities, not exceeding the said rate of five pounds *per centum per annum*, together with the monies which shall have been advanced by the said companies, or either of them, for or towards paying off the said lottery-orders, and the said monies charged or chargeable on the hereditary excise, do not in the whole exceed the sum total, which shall be payable to such subscribers for ready money as aforesaid, or those claiming from or under them, according to the true meaning of this act.

Not to exceed the sum total on those orders.

XVIII. And it is hereby enacted by the authority aforesaid, That in all cases where the principal and interest payable on the said lottery-orders, or any of them, or the said moiety of the said principal sums for which the said annual payments are charged on the hereditary excise, or any of them, with the arrearages of the same annual payments respectively, shall be converted into annuities, or be paid off in ready money, pursuant to this act, the customs, subsidies, impositions, additional and other duties, proportional parts, weekly and other payments, formerly charged therewith as aforesaid, shall be and are hereby freed, exonerated and discharged of, from and against the same, and shall be liable for or towards making good the said general yearly fund by this act intended to be established as aforesaid.

Where lottery-orders, &c. are converted into annuities, or paid off in ready money, the duties shall be liable to make good the general fund.

XIX. And whereas the sum of sixty-one thousand seven hundred and seven pounds three shillings and two pence, or thereabouts, of principal monies, remains unsatisfied upon the register of loans founded on the act of parliament for duties on low wines, and other things therein mentioned, which expired on or about the twenty-fourth day of June one thousand seven hundred and fourteen, carrying interest after the rate of six pounds *per centum per annum*: now in order to put an end to the same high interest, it is hereby further enacted by the authority aforesaid, That it shall and may be

3 & 4 Ann. c. 4.

Treasury may
raise further
sums by an-
nuities at 5l.
per cent. to
pay off 61707l.
3s. 2d. on the
low wines.
6 Geo. 1. c. 4.

lawful to and for the said commissioners of the treasury, or any three or more of them, and to and for the high treasurer of Great Britain for the time being, to issue their respective warrant or warrants to the proper officers in the receipt of the Exchequer, for receiving and taking in at the said receipt such further sum and sums of money, as any person or persons, natives or foreigners, bodies politick or corporate, will advance and pay for purchasing an annuity or annuities at a rate not exceeding five pounds *per centum per annum*, to be paid out of the said general fund by this act established, and to be redeemable by parliament according to this act; and the said commissioners of the treasury, or high treasurer and the under-treasurer of the Exchequer for the time being, are hereby authorized and required to issue and apply, or cause to be issued and applied, all the monies so to be advanced, for or towards paying off the unsatisfied principal and interest upon the said register of loans founded on the act last mentioned, taking care that all the monies so to be advanced, for the purpose last mentioned, do not exceed the sum of the principal and interest which doth or shall remain due on the said register.

And 314,219l.
21s. 2d. 1q.
on candles.
9 Ann. c. 6.
4 Geo. 1. c. 4.

XX. *And whereas the sum of three hundred and fourteen thousand two hundred and nineteen pounds eleven shillings and two pence farthing, or thereabouts, of principal monies remains unsatisfied upon the register of loans founded on the act of parliament for duties on candles, which expired on or about the first day of May one thousand seven hundred and fifteen, carrying interest at the like rate of six pounds per centum per annum: now in order to put an end also to the same high interest, it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them, and to and for the high treasurer of Great Britain for the time being, to issue their respective warrant or warrants to the proper officers in the receipt of the Exchequer, for receiving and taking in at the said receipt such further sum and sums of money, as any person or persons, natives or foreigners, bodies politick or corporate, will advance and pay for the purchasing an annuity or annuities at a rate not exceeding five pounds *per centum per annum*, to be paid out of the said general fund by this act established, or intended to be established, and to be likewise redeemable by parliament according to this act; and the said commissioners of the treasury, or high treasurer and the under-treasurer of the Exchequer for the time being, are hereby authorized and required to issue and apply, or cause to be issued and applied, all the monies so to be advanced, for or towards paying off the unsatisfied principal and interest upon the said register of loans founded on the said candle act, taking care that all the monies so to be advanced for the purpose last mentioned, do not exceed the sum of the principal and interest which doth or shall remain due on the same register.*

And 577,014l.
16s. 1d. 1q.
by annuities at

XXI. *And whereas the sum of five hundred seventy-seven thousand and fourteen pounds sixteen shillings one penny farthing is dis-*
cient

ient or wanting to make good the publick supplies granted to his Majesty in the last session of parliament, (of which the sum of three hundred thirty-four thousand two hundred thirty-nine pounds nine shillings one penny three farthings is to be applied towards discharging the debt of the navy, as it stood on the one and thirtieth day of December one thousand seven hundred and sixteen :) now for the better preserving the publick credit, and ceasing such interest as is now payable for any part of the said sum so deficient, it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them, or the high treasurer of Great Britain for the time being, to issue their respective warrant or warrants to the proper officers in the receipt of the Exchequer, for receiving and taking in at the said receipt such further sum or sums of money, not exceeding five hundred seventy-seven thousand four hundred pounds sixteen shillings and one penny farthing, as any person or persons, natives or foreigners, bodies politick or corporate, will advance and pay for purchasing an annuity or annuities after a rate not exceeding four pounds *per centum per annum*; which annuity or annuities shall be paid out of the said general fund by this act established or intended to be established, and shall likewise be redeemable by parliament according to this act; and the said commissioners of the treasury, or high treasurer and under-treasurer of the Exchequer for the time being, are hereby authorized and required to issue and apply, or cause to be issued and applied, all the said monies not exceeding five hundred seventy-seven thousand four hundred pounds sixteen shillings and one penny farthing, so to be advanced, for the use and service of the publick in the said office of the navy, and each other publick offices, as are deficient of their supplies which were granted or intended to be granted in the last session of parliament.

XXII. And whereas the sum of twenty-four thousand one hundred and ninety-five pounds eighteen shillings and two pence rests unsatisfied upon several bills of exchange drawn for the service of the late expedition to Canada: be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them, or the high treasurer of Great Britain for the time being, to issue their warrant or warrants to the proper officers in the receipt of the Exchequer, for receiving and taking in at the said receipt such further sum or sums of money, not exceeding twenty-four thousand one hundred ninety-five pounds eighteen shillings and two pence, as any person or persons, natives or foreigners, bodies politick or corporate, will advance and pay for purchasing an annuity or annuities, after a rate not exceeding four pounds *per centum per annum*; which annuity or annuities shall also be paid out of the said general fund by this act established or intended to be established, and shall likewise be redeemable by parliament according to this act; and the said commissioners of the treasury, or high-treasurer and under-treasurer of the Exche-

41. per cent. to make good the publick supplies granted the last session of parliament.
6 Geo. 1. c. 4.

And 24, 1791.
18s. 2d. for the expedition to Canada.

quer for the time being, are hereby authorized and required to issue or came to be issued all the said monies, not exceeding twenty-four thousand one hundred ninety-five pounds eighteen shillings and two pence, so to be advanced, by way of imprest and upon account, for satisfying the said bills of exchange; and the proper officers in the respective offices for paying the same bills are hereby enjoined and required to take especial care that the drawers of the said bills be duly charged with the monies for which they were drawn, or such of the said monies as are not or shall not be duly accounted for, before such payment of the said bills.

As soon as ready money is advanced to pay off principal, &c. publick notice to be given, and interest to cease.

XXIII. Provided always, and it is hereby enacted, That as soon as ready money shall be advanced, sufficient to pay off all or any the principal sums, or the moieties of the principal sums by this act intended to be paid off, with the interest or arrears of the annuity attending the same respectively, publick notice thereof shall be given by writing, to be openly set up at the Exchequer, and advertised in the *London Gazette*; and the ready money so advanced shall be reserved and kept in bank at the Exchequer for the persons or corporations entitled thereunto; but from the time of such notice given the said interest, after the rate of six pounds *per centum per annum*, and the said annuities, after the rate of three pounds *per centum per annum*, of such persons and corporations respectively, shall cease and determine.

Purchasers of annuities to have tallies of Sol', &c.

XXIV. And be it further enacted by the authority aforesaid, That all and every person and persons, natives or foreigners, bodies politick and corporate, who in pursuance of this act shall advance and pay into the Exchequer any sum or sums of money, for purchasing an annuity or annuities at such respective rates, as aforesaid, shall upon his, her or their advancing and paying the same, have and receive from the proper officers in the said Exchequer, a tally or tallies of Sol' for the money so advanced or paid; and that all and every such person and persons, bodies politick and corporate, his, her and their executors, administrators, successors and assigns respectively, for every sum so advanced and paid, shall have, receive and enjoy, and be entitled by this act to have, receive and enjoy, an annuity or annuities, after the rate to be specified in the said respective warrants of the commissioners of the treasury, or high treasurer for the time being, so as the same do not exceed the respective rate or rates by this act prescribed, and in such respective warrant or warrants to be expressed, as aforesaid, out of the monies of the said general fund of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, by this act established or intended to be established, as aforesaid; and that such annuity and annuities for such monies so to be advanced, shall be paid and payable to the respective person and persons, bodies politick and corporate, their executors, administrators, successors

Annuities how to be paid.

successors and assigns respectively, in manner following; that is to say, The first payment or payments of such annuity or annuities so to be purchased shall be computed by the day, and satisfied from the day or respective days on which the monies so to be advanced, or any part or parts thereof, shall be advanced and paid into the Exchequer, as aforesaid, until the quarterly feast-day, or respective quarterly feast-days then next ensuing; and from thenceforth the same annuity or annuities so to be purchased shall be paid and payable at the four most usual feasts or days of payment in the year aforesaid, by even and equal portions, until the redemption thereof by parliament, according to the proviso herein after contained in that behalf.

XXV. And it is hereby enacted by the authority aforesaid, That in the office of the accountant general of the governor and company of the bank of *England* for the time being, there shall be provided and kept a book or books, in which shall be fairly entered the names of all and every person and persons, corporation and corporations whatsoever, who shall be entitled to the said annuities after the rate of five pounds *per centum per annum*, in lieu and discharge of any such lottery-orders and annual payments out of the excise, as aforesaid; and the names of all such persons and corporations, who upon producing to the said comptroller the said tallies of *Sol* respectively, shall appear to be entitled to the said annuities to be purchased at the several rates aforesaid, for monies to be by them advanced and paid into the Exchequer, pursuant to this act; and the several and respective annuities whereunto the aforesaid persons and corporations respectively shall be so entitled; to which book it shall be lawful for all persons concerned from time to time, at all seasonable times, to have free access, and to inspect the same, without fee or charge; and the said accountant general for the time being shall, on or before the five and twentieth day of *December* one thousand seven hundred and seventeen, transmit an attested duplicate or duplicates fairly written on paper, of the book or books last mentioned, into the office of the auditor of the receipt of his Majesty's Exchequer, there to remain for ever.

The accountant general of the bank to keep books of the annuities for which subscriptions shall be made, &c. See 3 Geo. 1. c. 7. s. 13.

and transmit a duplicate into the Exchequer by 25 Dec. 1717.

XXVI. And be it further enacted by the authority aforesaid, That the respective proprietors, who are to have, receive and enjoy the said several annuities pursuant to this act, his, her or their executors, administrators, successors and assigns respectively, shall have good and sure estates and interests therein for ever, subject to the provisos or conditions of redemption in this act afterwards contained concerning the same, and to no former provisos or power of redemption whatsoever.

Annuities a sure estate.

XXVII. And it is hereby enacted, That as well the said annuities after the rate of five pounds *per centum per annum*, payable in lieu and discharge of the said lottery-orders, and of the said annual sums formerly charged upon the excise, as also the said annuities to be purchased on this act at the several rates aforesaid, for monies to be advanced at the Exchequer, as aforesaid,

Annuities free from taxes.

said, and all and every the principal sums for which the said several annuities are to be payable, or whereupon they shall be computed, pursuant to this act, and every of them, shall be free from all taxes, charges and impositions whatsoever.

Bank to employ a sufficient cashier and accountant general.

XXVIII. And it is hereby declared and enacted by the authority aforesaid, That the governor and company of the bank of *England* shall, from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person within their office in the city of *London*, to be their chief or first cashier, and one other sufficient person within the same office to be their accountant general; and that so much of the monies of the said general yearly fund of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, as shall be sufficient to satisfy and discharge the sums which shall grow due, from time to time, for or upon all the said several and respective annuities by this act appointed or intended to be paid by the said cashier of the bank for the time being, shall by order of the commissioners of the treasury, or any three or more of them, or of the high treasurer, and under-treasurer of the Exchequer of his Majesty, his heirs and successors, for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, be from time to time, quarterly, as aforesaid, issued and paid at the said receipt of Exchequer to the said first or chief cashier of the said governor and company of the bank of *England*, and of their successors for the time being, by way of imprest and upon account, for the payment of the same annuities at such times, and in such manner and form, as are by this act prescribed in that behalf, with preference to all other payments which shall or may hereafter be charged upon the said general fund, or upon the said duties or revenues liable to make good the same, until the redemption of the said annuities according to this act; and that all and every such cashier or cashiers, to whom the said monies shall from time to time be issued, shall, from time to time, without delay, apply and pay the same accordingly, and render his accounts thereof, according to the due course of the Exchequer; any thing herein contained to the contrary notwithstanding. And it is hereby also enacted, That the said accountant general for the time being shall, from time to time, inspect and examine all the said receipts and payments of the said cashier, and the vouchers relating thereunto, in order to prevent any fraud, negligence or delay; and that all and every the persons and corporations whatsoever, who shall be entitled to any of the same annuities so to be payable by the cashier of the bank of *England* for the time being, pursuant to this act, and all persons lawfully claiming under them shall be possessed thereof as a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attachment by the custom of *London*, or otherwise; any law, statute or custom to the contrary notwithstanding.

Their office.

These annuities are personal estates, and not liable to foreign attachment.

XXIX. And

XXIX. And be it further enacted by the authority aforesaid, That all the principal monies for which the said several and respective annuities shall be payable by the said cashier of the bank of *England* for the time being, shall be deemed, reputed and taken to be one capital or joint-stock, on which the said annuities shall be attending; and that all persons and corporations, in proportion to their respective annuities, shall have a share in such stock; and that all such shares shall be assignable, transferable and devisable, in the same manner as is prescribed by acts of parliament made in the first year of his Majesty's reign, touching the annuities after the rate of five pounds *per annum* therein mentioned; and that no stamp-duties whatsoever shall be chargeable on such transfers; and that the said governor and company of the bank of *England*, (notwithstanding the redemption of all or any of their own funds or annuities in pursuance of the acts for establishing the same, or any of them) shall continue a corporation, to all intents and purposes, relating only to the receiving, paying or accounting for the said annuities so payable by their cashier, till the same shall be redeemed by parliament according to this act; and that the said governor and company of the bank of *England*, or any members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

The principal monies shall be deemed a capital stock,

assignable, &c. according to 1 Geo. 1. stat. 2. c. 21.

No stamps on transfers. Bank a corporation, till annuities redeemed.

XXX. And it is hereby enacted by the authority aforesaid, That no fee or gratuity whatsoever shall or may be demanded or taken of any of his Majesty's subjects, for receiving or paying such monies as shall be advanced at the Exchequer for the purposes aforesaid, or for any tallies, or other matters concerning the same, or for issuing the said general fund of seven hundred twenty four thousand eight hundred forty nine pounds six shillings and ten pence and one fifth part of a penny *per annum*, or any part thereof, or for paying the said several and respective annuities, or any of them, by the said cashier for the time being; and that no fee or gratuity shall be demanded or taken for any transfer of any sum, great or small, to be made in pursuance of his act, upon pain, that any officer or person offending, by asking or demanding any fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs in any of his Majesty's courts of record at *Westminster*.

No fees for paying or transferring their annuities,

on forfeiture of 20l.

XXXI. Provided always, and it is hereby enacted, That the commissioners of the treasury, or high treasurer for the time being, shall have power to pay and allow, or cause to be paid and allowed, out of the monies arising of or for the said general yearly fund, as aforesaid, such salaries and allowances as they shall think reasonable, as well to the said managers and directors, as to the said cashier and accountant general for the time being, for their pains and service respectively, in performance of the several trusts in them reposed by this act; and to allow and pay out of the same money all other charges for books, under-clerks, or other matters or things which shall be necessarily incident in or for the execution of this act.

Treasury may allow salaries, and necessary charges for executing this act.

Interest of 4l.
per cent. to be
paid out of the
general fund
on army de-
bentures of
this session.
23 Geo. 1. c. 3.

XXXII. And be it further enacted by the authority aforesaid, That the interest after the rate of four pounds *per centum per annum*, payable from the twenty fourth day of *June* one thousand seven hundred and seventeen, on the debentures authorized to be made forth by an act of this session of parliament for stating and determining debts due to the army, shall from time to time, as the same shall become due and payable, during the continuance thereof, be satisfied and paid out of the monies of the said general fund by this act established or intended to be established, as aforesaid, and shall be imprested, from time to time, to the paymaster of the forces for that purpose.

Proviso for re-
demption of
all the annui-
ties upon re-
payment of
the principal
by parliament.

XXXIII. Provided always, and it is hereby enacted by the authority aforesaid, That at any time, upon notice to be given or left at the publick office of the governor and company of the bank of *England*, by authority of parliament, at any of the said quarterly feast-days for payment of the said annuities, and upon repayment by parliament of the respective principal sums for which the said annuities shall be payable by the said cashier of the bank for the time being, and whereupon the said respective annuities are to be computed, as aforesaid, to such respective persons and corporations as shall be entitled to the said annuities, according to such interest as they respectively shall then have in the said annuities, and also upon full payment and satisfaction of all arrears of the said annuities, if any shall be then due, then and not till then, the same annuities shall cease and determine; any thing herein contained to the contrary in any wise notwithstanding.

Another pro-
viso for re-
demption up-
on payment
of the prin-
cipal by par-
cels, not being
less than
500,000l. at a
time.

XXXIV. And in regard it is intended, That upon such notice to be given at any quarterly feast-day, all the principal monies for which the said annuities shall be payable, may be satisfied by any payments, not being less than five hundred thousand pounds of lawful money of Great Britain at a time, and that as the said principal monies shall be paid off, the said annuities, and the capital stock for the same, shall proportionably sink and be abated: be it therefore further provided and enacted by the authority aforesaid, That if at any time or times notice shall be given or left at any of the said quarterly feast-days by authority of parliament, for redemption of the said annuities by this act payable by the cashier of the bank, as aforesaid; and if payment after such notice given be made by parliament to the respective persons and corporations as shall be then entitled to the said annuities, according to such respective interest as they shall have in the said annuities, of any sum or sums of money, not being less than five hundred thousand pounds to all the proprietors at a time in part of the respective principal sums for which the said annuities shall be payable, as aforesaid; as also if payment be made of all arrears then due to them of the same annuities, or so much of those arrears as shall bear a proportion to the principal monies, from time to time, remaining unsatisfied, being computed till the time of every such payment of part of the principal respectively, then from and after every such payment so made, so much of

the

the said annuities as shall bear proportion to the monies so paid in part of the said principal, shall cease, determine and be abated; any thing in this, or in any former act or acts of parliament, or other matter or thing whatsoever to the contrary notwithstanding.

XXXV. And it is hereby declared and enacted by the authority aforesaid, That any vote or resolution of the house of commons, signified by their speaker in writing, to be delivered at the publick office of the governor and company of the bank of England, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act; any thing herein contained to the contrary notwithstanding.

XXXVI. And whereas in and by an act of this session of parliament, for redeeming several funds of the governor and company of the bank of England, (amongst other things) it is declared and enacted, That the excess or surplus, which at the end of every or any quarter of a year (reckoning the quarters to end at the four most usual feast-days therein mentioned) shall and may be produced by the several rates, duties, revenues and incomes thereby appropriated, or mentioned to be appropriated as is therein expressed, and shall remain in the Exchequer (over and above the money then due and demandable for or upon the several annuities, allowances, and other payments by that act payable, or any arrears of the same) shall extend to the disposition of parliament, and be applied according to act or acts of parliament, and not otherwise; and in and by another act of this session of parliament, for redeeming the yearly fund of the governor and company of merchants of Great Britain trading to the South-Seas, and other parts of America, and for encouraging the fishery, (amongst other things) it is enacted, That if at any time or times, at the end of any quarter of a year (reckoning the quarters to end at the usual feasts therein also mentioned) there shall be an excess or surplus of the monies brought into the Exchequer, of the rates, duties, impositions and revenues, and proportional parts of them, or any of them in that act mentioned, and such excess and surplus shall remain there over and above the money then or before that time grown due, by or in pursuance of that act, for such annual and other payments as are thereby prescribed, then and so often, and in every such case, such excess or surplus shall, from time to time, attend the disposition of parliament, and be applied according to act or acts of parliament, and not otherwise: now it is hereby also enacted by the authority aforesaid, That the excess or surplus, which at the end of every or any quarter of a year, (reckoning the quarters to end at the four most usual feast-days before-mentioned) shall and may be produced by the customs, subsidies, impositions, additional and other duties, proportional parts of duties, and by the said weekly and other payments by this present act appropriated or charged to make good the said general yearly fund of seven hundred twenty-four thousand eight hundred forty-nine pounds six shillings and ten pence and one fifth part of a penny, in and by this act established or intended to be established, as aforesaid, over and above so much as shall be sufficient to make good the same, and so much of the same general

A resolution of the house of commons, signified by their speaker, a sufficient notice. See 12 Geo. 1. c. 3. §. 1.

1 Geo. 1. c. 8. §. 24.

1 Geo. 1. c. 7. §. 14.

The excess or surplus of any quarter to be disposeable by parliament. See 5 Geo. 1. c. 3. §. 1.

general yearly fund as at the end of any quarter of a year, as aforesaid, shall remain in the receipt of the Exchequer, over and above all the monies then due or payable, to discharge the said several annuities and other payments by this act directed to be satisfied out of the same, and all arrears thereof (if any such be) shall likewise, from time to time, stand the disposition of parliament, and be applied according to act or acts of parliament, and not otherwise.

Overplus monies to be employed for the discharging such national debts, incurred before 25 Dec. 1716, as shall be appointed by future acts.
See 6 Geo. 1. c. 4.

XXXVII. And be it enacted and declared by the authority aforesaid, That all the monies to arise, from time to time, as well of or for the said excess or surplus by virtue of the said act made for redeeming the funds of the governor and company of the bank of *England*, and of or for the said excess or surplus by virtue of the said act made for redeeming the funds of the said governor and company of merchants of *Great Britain* trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, as also of and for the said excess or surplus of the said duties and revenues, by this act appropriated, as aforesaid, and the said overplus monies of the said general yearly fund by this act established or intended to be established, as aforesaid, shall be appropriated, reserved and employed, to and for the discharging the principal and interest of such national debts and incumbrances as were incurred before the five and twentieth day of *December* one thousand seven hundred and sixteen, and are declared to be national debts, and are provided for by act of parliament, in such manner and form as shall be directed or appointed by any future act or acts of parliament to be discharged therewith or out of the same, and to and for none other use, intent or purpose whatsoever.

22 Car. 2. c. 4.

XXXVIII. And whereas by the act of tonnage and poundage made in the twelfth year of the reign of his late majesty King Charles the Second, and the book of rates thereto annexed, and by other acts of parliament since made and now in force, several duties are payable to his Majesty, his heirs and successors, for and upon linseed imported, and it having been found by experience that those duties are a discouragement to the importation thereof, and that should they be discontinued and taken off, the same would tend to the service of the woollen and other manufactures, and to the improvement of tillage in this kingdom: be it further enacted by the authority aforesaid, That from and after the first day of *August* one thousand seven hundred and seventeen, it shall and may be lawful to and for any person or persons to import linseed into this kingdom, without paying to his Majesty, his heirs and successors, any custom, subsidy or other duties for the same; any thing in the said act of tonnage and poundage, or any other act or acts of parliament to the contrary in any wise notwithstanding.

Linseed may be imported duty-free.

XXXIX. And whereas in and by the act of tonnage and poundage, and the said book of rates, which act has been by several subsequent acts of parliament continued, and is now in force, a duty of six pence is payable upon the exportation of every piece of linen cloth of British manufacture made of hemp or flax, fine or coarse, not exceeding forty

As (except British-made sail-cloth, which by law is permitted to be exported duty-free :) and whereas the said duty is a discouragement to the said manufacture which employs many thousands of the poor of this kingdom; be it further enacted by the authority aforesaid, That from and after the said first day of *August* one thousand seven hundred and seventeen, it shall and may be lawful to and for any person or persons to export out of this kingdom, to parts beyond the seas, all sorts of linen cloth of the manufacture of this kingdom, which shall be made of hemp or flax, whether fine or coarse, free of all duties payable to his Majesty, his heirs or successors; any thing in the said act of tonnage and poundage, or any other act, or any thing to the contrary thereof in any wise notwithstanding.

12 Car. 2. c. 4.

XL. Provided always, and be it hereby further enacted, That all drawbacks, allowances and abatements granted or enacted to be made by any act or acts of parliament now in force, upon or out of any duties upon any goods or merchandizes imported or exported, shall be and continue, and are hereby continued, until the duties on which such allowances, drawbacks or abatements are granted or enacted to be made, shall respectively cease and determine.

British linen may be exported duty-free.

XLI. And be it enacted by the authority aforesaid, That all the monies lent to his Majesty at the receipt of Exchequer, upon credit of a vote or resolution of the house of commons, made and passed on or about the fifth day of *March* one thousand seven hundred and sixteen, not exceeding six hundred thousand pounds, for the service of the publick, by sea or land, which loans, with the interest thereof, were appointed to be transferred to the register upon the act, intituled, *An act for granting an aid to his Majesty by a land-tax in Great Britain, for the service of the year one thousand seven hundred and seventeen*, and all other the monies lent and to be lent to his Majesty upon that act, and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans made or to be made on that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or monies sufficient shall be reserved to discharge the same; and all the monies lent and to be lent to his Majesty upon an act of this session of parliament for continuing the duties on malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventeen, and so much of the duties on malt, mum, cyder, and perry thereby granted or continued, as shall arise and remain (if any such be) after all the loans made or to be made on the same act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for raising the same duties, shall be satisfied, or monies sufficient shall be reserved to discharge the same, shall be appropriated and applied, and are hereby appropriated for or towards the several uses, intents and purposes herein expressed, subject nevertheless to such restrictions

All drawbacks, &c. to continue till duty ceases.

Clause for appropriating all the monies granted this session of parliament.

3 Geo. 1. c. 3.

3 Geo. 1. c. 4.

Ordinary of
the navy.

Office of ord-
nance.

Land-forces.

tions as are herein after prescribed; that is to say, it is hereby enacted and declared, That out of all or any the aids or supplies provided, as aforesaid, there shall or may be issued and applied any sum or sums of money, not exceeding in the whole the sum of nine hundred forty-seven thousand five hundred and sixty pounds five shillings and three pence, for or towards the naval services following; that is to say, for or towards defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea-officers; and for or towards victual, wages, wear and tear of the navy, and victualling thereof, performed and to be performed; and for or towards sea-service in the office of ordnance performed and to be performed; and for and towards extraordinary works and repairs of his Majesty's navy, and furnishing such sea-stores as are necessary for the same, and other services of the navy and transports, performed and to be performed; and any sum not exceeding seventy-three thousand seventy-seven pounds nine shillings and three pence, for the charge of the office of ordnance, for or towards land-services performed and to be performed; and any sum or sums of money, not exceeding in the whole the sum of one million two hundred seventy-three thousand nine hundred and ten pounds nine shillings and six pence, for or towards maintaining his Majesty's land-forces, and other services herein after expressed; that is to say, for or towards maintaining guards, garrisons, and other his Majesty's land-forces in *Great Britain*, *Fersey*, and *Guernsey*, for the year one thousand seven hundred and seventeen; and for or towards maintaining his Majesty's forces and garrisons in his Majesty's plantations in *America*, for the year one thousand seven hundred and seventeen; and for or towards maintaining his Majesty's forces and garrisons in *Minorca*, for the year one thousand seven hundred and seventeen; and for or towards maintaining his Majesty's forces and garrisons in *Gibraltar*, for the year one thousand seven hundred and seventeen; and for or towards half-pay, for the year one thousand seven hundred and seventeen, upon account, to the officers of the land-forces, and marines disbanded, being his Majesty's natural-born subjects, or naturalized; and for or towards the pay of invalids, from the twenty-fifth day of *December* one thousand seven hundred and sixteen, to the twenty-fifth day of *December* one thousand seven hundred and seventeen; and for or towards provisions for the garrison of *Gibraltar*, for the year one thousand seven hundred and seventeen; and for or towards completing the pay of six battalions of foot, hired from the bishop of *Munster* and duke of *Saxe-Gotha*, to supply the place of such troops as, during the late rebellion, should be drawn from the garrisons of the *States-General* of the United Provinces to assist his Majesty, pursuant to the treaties in that behalf made with the said princes; and for or towards making up the full pay of the general officers with their aids de camp and majors of brigade, during the time they served in *North Britain*, and upon account of extraordinary forage, provisions, carriages, and several

several extraordinary expences of the forces in their march from *irling*, and pursuit of the rebels into the *Highlands*, and the neighbouring islands; and for or towards replacing a sum of ten thousand pounds issued out of the appropriated revenues of *North-Britain*, to his grace the duke of *Argyle*, then general and commander in chief of his Majesty's forces there, by his Majesty's warrant, dated the eighth day of *September* one thousand seven hundred and fifteen; and for or towards the pay of three independent companies in *North Britain*, from the twenty-fifth day of *December* one thousand seven hundred and sixteen to the thirty-first day of *March* following, with the bounty-money upon their disbanding; and for or towards the pay of one lieutenant, one ensign, five non-commissioned officers and forty private men, taken to reinforce the castle of *Edinburgh*, from the twenty-fifth day of *July* one thousand seven hundred and fifteen to the fifteenth day of *March* one thousand seven hundred and sixteen, with the bounty-money upon their disbanding; and for or towards the subsistence of the rebel prisoners taken at *Preston* to the thirty-first day of *December* one thousand seven hundred and sixteen, and for or towards their subsistence and contingent expences for the year one thousand seven hundred and seventeen; and for or towards the subsistence of the three hundred fifty-three rebel prisoners, subsisted by the magistrates of *Glasgow* to the twenty-fifth day of *June* one thousand seven hundred and sixteen; and for or towards half-pay to the officers of the late regiments of foot commanded by brigadier *James Douglas* and Sir *James Wood*, late in the service of the *States-General*, from the twenty-fifth of *April* one thousand seven hundred and seventeen to the twenty-fourth of *December* following; and for answering other extraordinary services relating to his Majesty's land-forces; and any sum not exceeding two hundred and fifty thousand pounds, for enabling his Majesty to concert such measures with foreign princes and states, as may prevent any charge or apprehensions from the designs of *Sweden* for the future; and any sum not exceeding five thousand five hundred seventy-nine pounds fifteen shillings and three pence half-penny, to make good the losses and damages which his Majesty's subjects sustained by reason of the tumultuous and rebellious proceedings in several counties, which losses and damages are found by inquisitions taken upon commissions issued out of his Majesty's Exchequer; and any sum not exceeding one hundred sixty-six thousand five hundred and two pounds five shillings and seven pence three farthings, for or towards enabling the treasurer of the navy to make good the payments which in the year ending at *Christmas* one thousand seven hundred and seventeen, (if any) may be demanded of him, pursuant to any former act or acts of parliament for completing the funds of six hundred and eight thousand pounds *per annum*, payable to the *South-Sea* company; and that the aids or supplies provided as aforesaid, shall not be issued or applied to any use, intent

Rebel prisoners.

Treaties with foreign princes.

Losses by tumults.

Funds of the south-sea company.

intent or purpose whatsoever, other than towards the uses and purposes afore-mentioned.

Proviso for
the South-Sea
company, 1
Geo. 1. stat. 2.
c. 21.

XLII. Provided always, and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payments which, by and in pursuance of an act made in the first year of his Majesty's reign, intituled, *An act for enlarging the capital stock and yearly fund of the South-Sea company; and for supplying thereby eight hundred twenty-two thousand thirty-two pounds four shillings and eight pence to publick uses; and for raising one hundred sixty-nine thousand pounds for the like uses, by sale of annuities and divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty*, are or shall be required and authorized to be made by the treasurer or paymaster of the navy for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to the governor and company of merchants of *Great Britain* trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, or to their treasurer for their use; any thing herein contained to the contrary notwithstanding.

and for the
commissioners
of accounts.

XLIII. Provided also, That such sums as by any other act of this session of parliament shall be payable to any commissioners for taking, examining and stating the debts due to the army, for their salaries, or for their clerks or other incident charges, shall and may be paid out of the aids or supplies aforesaid, or any of them; any thing herein contained to the contrary notwithstanding.

CAP. X.

An act for the better collecting and levying the revenue of the tenths of the clergy.

2 & 3 Ann.
c. 11.

WHEREAS her late most gracious majesty Queen Anne, in her royal bounty to the poor clergy of the church of England, and pursuant to and by virtue of an act of parliament made in the second year of her Majesty's reign, intituled, *An act for making more effectual her Majesty's gracious intentions for the augmentation of the maintenance of the poor clergy, by enabling her Majesty to grant in perpetuity the revenues of the first-fruits and tenths, and also for enabling other persons to make grants for the same purpose, did in and by her letters patents under the great seal of England, bearing date the third day of November in the third year of her Majesty's reign, make, nominate, constitute and appoint the persons therein named, to be one body politick and corporate, by the name of the governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, with such powers and authorities as are therein mentioned and expressed; and did in and by the said letters patents give and grant unto the said governors of the bounty of
Queen*

Queen Anne for the augmentation of the maintenance of the poor clergy, and their successors, all the revenues of the first-fruits and yearly perpetual tenths of all dignities, offices, benefices and promotions spiritual whatsoever payable to her Majesty, her heirs and successors, by virtue of any act or acts of parliament whatsoever, and all arrears of the said first-fruits and tenths (except as therein is excepted) to be applied and disposed of by the said governors thereby constituted to and for such ends, intents and purposes, as in and by the said letters patents are contained and directed: and whereas the laws now in force relating to the collection and payment of that part of the said revenue, called the perpetual yearly tenths, are in some cases defective, and in many instances are found to be inconvenient and improper to be put in execution, by reason whereof her late Majesty's said gracious intentions cannot so well and effectually be answered as they might be, if some new provisions and regulations were made and established for the more easy and expeditious levying and paying the said perpetual yearly tenths: for remedy therefore of such defects and inconveniencies, and to the end that the said governors may be the better enabled to execute the trust in them reposed, and the poor clergy may, with greater ease and advantage, receive the benefit of the said royal bounty; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by authority of the same, That the most reverend the archbishops, and the right reverend the bishops of *England*, who by the statute made in the twenty sixth year of the reign of King *Henry* the Eighth, intituled, *The bill for the first-fruits, with the yearly pensions to the King*, and by other subsequent statutes, are constituted and appointed collectors of the said revenue of the perpetual yearly tenths within their several dioceses respectively, and charged with the receipt and payment of such collection, and made accountable for the same, from and after the twenty sixth day of *December* last past, be, and each and every of them hereby is clearly exempted, acquitted and discharged of and from the levying, collecting and receiving within their and each of their proper and respective dioceses, the said perpetual yearly tenths from thenceforth accruing, of all dignities, offices, benefices and promotions spiritual, and of and from being chargeable with, and accountable for the receipt and collection of the same, by force or reason of any of the said statutes; the said statute of King *Henry* the Eighth, or any other statute to the contrary thereof in any wise notwithstanding.

The archbishops and bishops discharged from receiving the perpetual yearly tenths.
26 H. 8. c. 3.

II. And be it further enacted by the authority aforesaid, That There shall be from and after the said twenty sixth day of *December* there shall be one collector or receiver of the said perpetual yearly tenths of all dignities, offices, benefices and promotions spiritual whatsoever, granted to the said corporation of the governors of the bounty of *Queen Anne* for the augmentation of the maintenance of the poor clergy, by the said first recited act and letters patents (which have not been legally discharged by any act or acts of parliament since made, or otherwise) from time to time to be

who shall collect all money, wherewith any dignity, &c. is chargeable, and pay the same into the Exchequer,

and shall be chargeable with the same.

He shall be appointed by the King, and take an oath for the due execution of his office,

and give security.

The collector impowered to receive the said revenue, and give acquittances.

He shall keep his office in London or Westminster.

Notice of time and place of payment to be

nominated and appointed, which said collector or receiver shall be and is hereby charged and chargeable to levy, collect and receive, all such sums of money, wherewith all and every such dignities, offices, benefices and promotions (spiritual, are charged and chargeable for and towards the payment of the said perpetual yearly tenths; and shall pay and content the said sums of money yearly unto the receipt of his Majesty's Exchequer at *Westminster*, in such manner and form as is herein after mentioned; and every such collector and receiver, and his lands and tenements, shall be and stand charged and chargeable for the sure and true payment of such sums of money as he shall collect and receive of the said perpetual yearly tenths accordingly; and that such collector or receiver shall, from time to time, be nominated and appointed by his Majesty, his heirs and successors, by his or their letters patents under the great seal of *Great Britain*; and that immediately after such nomination and appointment, and before he takes upon him the execution of his said office, every such collector or receiver shall take his corporal oath for the due and faithful execution of his said office before any seven or more of the governors aforesaid for the time being, in a general court of the said corporation (who are hereby authorized and required to give and administer the said oath from time to time accordingly;) and that every such collector or receiver shall likewise give security to the said corporation, or to such person or persons as they in their general court shall appoint, for his true and just accounting for, and payment of all and every sum and sums of money which he shall receive by virtue of the said office, and for the due and faithful execution and discharge of his said office, as the governors at a general court of the said corporation at any time before his taking upon him the execution of the said office shall order, direct and appoint; and also that such collector or receiver of the said perpetual yearly tenths so appointed, as aforesaid, shall and may lawfully, and is hereby authorized and impowered to collect and receive the said revenue, and to give acquittances under his hand to the several and respective person or persons paying the same; whose acquittance or acquittances shall be a full and sufficient discharge to all persons paying the said perpetual yearly tenths, or any part thereof, for so much as they shall respectively pay unto such collector or receiver (for every of which acquittances the sum of six pence, and no more, shall be paid) which said collector or receiver shall keep his office in some convenient place within the cities of *London* or *Westminster*, and shall give attendance for receipt of the said perpetual yearly tenths at such time or times as the said governors of the bounty of *Queen Anne* for the augmentation of the maintenance of the poor clergy, in their court shall order, direct and appoint, between the feast of the birth of our Lord Christ and the last day of *April* yearly; of which said times and place due notice shall be given by the said governors in the *London Gazette* yearly, by the space of one week

at least before the said feast-day; whereof every archbishop, bishop and incumbent of any dignity, office, benefice or promotion spiritual; is and shall be obliged to take notice, and to observe the same accordingly in the payment of his and their respective rates, shares and proportions of the said perpetual yearly tenths, wherewith they or any of them shall be charged or chargeable, without any further notice to be given them by way of summons, demand, or otherwise; and in default thereof to forfeit to the King's majesty, his heirs and successors, such sum or sums of money as shall amount to double the value of the said tenths; and that every such collector or receiver shall make payments of the said tenths, and shall pass his accounts for the same, at such time and times, and in such manner as the said archbishops and bishops were ordered and directed in and by the several acts of parliament made for that purpose in the twenty sixth and thirty second years of the reign of King *Henry* the Eighth, and of the seventh year of the reign of King *Edward* the Sixth.

given in the London Gazette.

Penalty for failure of payment.

How collector shall pass his accounts.

26 H. 8. c. 3.

32 H. 8. c. 47.

7 Ed. 6. c. 4.

III. And it is hereby further enacted by the authority aforesaid, That if any archbishop or bishop, or any incumbent of any dignity, office, benefice or promotion spiritual, or any other person or persons, bodies politick or corporate, charged or chargeable with the payment of the said perpetual yearly tenth or tenths respectively, shall not pay or duly tender the same yearly, before the last day of *April* succeeding the feast of the nativity of our Lord Christ, whereon the same shall become due, that upon certificate thereof made by the collector or receiver on or before the first day of *June* following, the said collector or receiver shall be allowed upon his account all such sums of money, as any archbishop, bishop or incumbent, or other against whom such certificate shall be made, should or ought to have paid; and that then in every such case, the treasurer, chancellor and barons of the King's Exchequer for the time being, shall devise, direct and issue upon every such certificate, such process out of the King's Exchequer, as to them shall seem proper and reasonable, against every such archbishop, bishop or incumbent, or other against whom such certificate shall be made, his and their executors or administrators, whereby such portion and part of the said yearly tenth, wherewith any such archbishop, bishop or incumbent, or other, is or shall be charged, and which shall be unpaid, as aforesaid, shall be truly levied, answered, satisfied and paid into the hands of the said collector or receiver; and all and every sum and sums of money so levied, answered and paid, the said collector or receiver shall bring to account, and charge himself therewith, from time to time, in his next account after he shall have received the same.

Archbishops, &c. not paying, the collector shall certify it into the Exchequer, and be allowed it on his accounts.

Process to be issued against such as make default in payment.

IV. Provided always, and it is hereby declared, That nothing in this act contained shall extend, or be taken or construed to exonerate or discharge any archbishop, bishop, or any other person or persons, before the making of this act liable to the collecting, accounting for, and answering the said perpetual yearly

This act shall not discharge any archbishop, &c. for monies unaccounted for.

The act 26 H.
8. c. 3. shall
remain in
force.

ly tenths, or any part thereof, for any sum or sums of money wherewith he or they were and are respectively charged or chargeable, and not duly answered and accounted for before the making of this act: and that the said statute made in the said twenty sixth year of the reign of the said King *Henry* the Eighth, and all and every other laws, statutes and provisions, touching or concerning the imposing, charging, assessing and levying, and the true answering and payment of the first-fruits, and of the said tenths, or touching the charge, discharge or alteration of them, or any of them, or any matter or thing relating thereunto, which were in force at the time of the making of this present act, and not hereby or herein before altered or repealed, shall be, remain and continue in their full force and effect, and shall hereafter be observed and put in due execution, according to the tenor and purport of the same, and every of them, in all things, excepting such as are in and by this act altered or repealed.

This act shall
not avoid any
grant, &c.

V. Provided also, That this act, or any thing herein contained, shall not extend to avoid or any way impeach or affect any grant, exchange, alienation, or incumbrance at any time heretofore made of or charged upon the said revenue of the perpetual yearly tenths, or any part thereof, but that the same and every of them during the continuance of such grant, exchange, alienation or incumbrance respectively, shall be and remain of and in the same force, virtue, and effect, as if this act had never been made.

CAP. XI.

An act to explain and amend several laws therein mentioned, for the better preservation of the game.

5 Ann. 1. 4.
and

WHEREAS by an act made in the fifth year of the reign of her late majesty *Queen Anne*, intituled, An act for the better preservation of the game, it is enacted, That it shall and may be lawful for any lord or lady of his or her respective lordship or manor, by writing under his or her hand and seal, to empower his or her game-keeper or game-keepers, upon his or her own lordship or manor to kill hare, pheasant, partridge, or any other game whatsoever; which power of appointing several game-keepers in the same manor with power to kill game, was found by experience to tend very much to the destruction of the game of this kingdom: for the preventing whereof, by one other act of the ninth year of the reign of her said late majesty *Queen Anne*, intituled, An act for making the act of the fifth year of her Majesty's reign, for the better preservation of the game, perpetual, and for making the same more effectual, it was enacted, That no lord or lady of any manor shall make, constitute, or appoint, above one person to be a game-keeper within any one manor, with power or authority to kill or destroy the game thereof; and that the name of such person so to be authorized to kill the game, shall, from time to time, be entred with the clerk of the peace of the county, riding, or division, wherein such manor does lie; which power of appointing a game-keeper so to be entred, as aforesaid, was mani-

9 Ann. c. 25.

fest

feſtly deſigned to no other intent or purpoſe whatſoever, but that any lord or lady might appoint ſuch perſon as he or ſhe ſhould think proper to kill the game upon his or her own lordſhip or manor, for the ſole and proper uſe of the ſaid lord or lady, ſuch game-keeper being expreſſly reſtrained by the ſaid firſt recited act from ſelling or diſpoſing of any game to any perſon or perſons whatſoever, without the conſent or knowledge of the ſaid lord or lady of ſuch manor or manors that had given ſuch power and authority as aforeſaid: and whereas under colour and pretence of the ſaid power and authority to kill or take game for the uſe of the lords or ladies of any manor it is become uſual and frequent in ſeveral parts of the kingdom for lords and ladies of manors to grant powers and deputations to the farmers, tenants, and occupiers of the lands and ſtates lying within the precincts of their reſpective manors, to be game-keepers, with power to kill and deſtroy the game; which practice is a very great abuſe of the powers intended by the ſaid acts to be granted, and manifeſtly tends very much to the deſtruction of the game of this kingdom: for remedy whereof, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the Lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the tenth day of July one thouſand ſeven hundred and ſeventeen, no lord or lady of any manor ſhall make, conſtitute, or appoint any perſon to be a game-keeper, with power and authority to take and kill hare, pheasant, partridge, or any other game whatſoever, unleſs ſuch perſon be qualified by the laws of his realm ſo to do, or unleſs ſuch perſon be truly and properly ſervant to the ſaid lord or lady, or ſuch perſon be immediately employed and appointed to take and kill the game for the ſole uſe or benefit of the ſaid lord or lady, and not otherwiſe; and that no lord or lady of any manor ſhall authorize or qualify any perſon or perſons whatſoever, not being qualified by the laws of his realm ſo to do, to take or kill any hare, pheasant, partridge, or other game whatſoever, or to keep or uſe any greyhound, ſetting-dogs, hays, lurchers, guns, tunnels, or any other engine, to kill and deſtroy the game; and that any perſon or perſons whatſoever, not being qualified by the laws ſo to do, or not being truly and properly a ſervant of any lord or lady of a manor, or not immediately employed and appointed to take and kill the game for the ſole uſe or immediate benefit of the ſaid lord or lady, who, under colour or pretence of any power or authority, deputation, or qualification to him granted by any lord or lady of a manor, ſhall take or kill any hare, pheasant, partridge, or other game whatſoever, or ſhall keep or uſe any greyhounds, ſetting-dogs, hays, lurchers, guns, tunnels, or any other engine, to kill and deſtroy the game, being thereof legally convicted, ſhall, for every ſuch offence, incur ſuch forfeitures, pains, and penalties, as are appointed to be inflicted by the ſaid recited acts of the fifth and ninth years of the reign of the late Queen Anne; ſuch forfeitures to be recovered by ſuch means, and in ſuch manner and form, and within ſuch time, and to ſuch uſes, as are preſcribed by the ſaid recited acts; any thing

After July 10, 1717. no lord of a manor ſhall appoint any game-keeper with power to kill the game, except he be qualified ſo to do, or be a ſervant, &c.

Nor to keep any greyhound, &c.

Unqualified perſons killing the game ſhall be liable to the forfeitures in the recited acts.

thing in the said recited acts, or in any other law or statute to the contrary thereof in any wise notwithstanding.

The recited
acts shall re-
main in force.
5 Ann. c. 14.
9 Ann. c. 25.

II. And be it further enacted by the authority aforesaid, That the said recited acts of the fifth and ninth years of the reign of her late majesty Queen *Anne*, and all other laws now in force for the better preservation of the game, and all matters, powers, and things therein contained, not hereby altered and repealed, shall continue, remain, and be in full force.

C A P. XII.

An act to empower commissioners in commissions of bankrupts, issued since the four and twentieth day of June one thousand seven hundred and six, and on or before the six and twentieth day of June one thousand seven hundred and sixteen, to make certificates for bankrupts; and the lord chancellor, lord keeper, commissioners of the great seal, or two judges, to confirm the same, notwithstanding the acts of the fourth and fifth, and the fifth of Queen *Anne*, are expired; and for continuing a clause in a former act for adjusting accounts between bankrupts and their debtors.

Persons against whom commissions issued as aforesaid, and who have not, nor shall not surrender themselves, &c. before December 25, 1717, shall suffer as felons. The clause in 4 Ann. c. 17. relating to the mutual credit between bankrupts and others, continued during seven years, and from thence to the end of the next session of parliament. E X P. See 5 Geo. 1. c. 30.

C A P. XIII.

An act for the better regulating of pilots for conducting of ships and vessels from Dover, Deal and the isle of Thanet, up the rivers of Thames and Medway.

WHEREAS there hath been time out of mind, and now is, a very useful and well regulated society or fellowship of pilots of the Trinity-House of Dover, Deal and the isle of Thanet, who have always had the sole piloting and load-manage of all ships and vessels from the said places up the rivers of Thames and Medway: and whereas by the usage and good rules and orders of the said society every person must appear at a court of load-manage, and be publicly examined by some of the elder and more experienced members of the said society and fellowship, touching his skill and abilities in pilotage, before he is to be admitted a member of the said society or fellowship, or ought to undertake the conducting and piloting any ship or vessel from the before-mentioned places up the said rivers, whereby ignorant and dangerous persons have been prevented from undertaking such pilotage; and there hath been from time to time a sufficient number of safe and able pilots for the said rivers maintained and kept up: and whereas notwithstanding the many and great advantages of the said society or fellowship to the publick, several unqualified persons have lately taken upon them the piloting and conducting ships and vessels by and from the places before-mentioned up the said rivers of Thames and Medway, who have not been admitted into the said society or fellowship, or undergone any examination of their abilities for such service, whereby the said useful society or fellowship hath been much distressed, and several ships and vessels, with their cargo and mariners, have been lost or in the utmost danger and bazard: for remedy whereof,

is it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That if any person or persons shall, from and after the first day of *August* one thousand seven hundred and seventeen, take upon him or themselves to conduct or pilot any ship or vessel by or from *Dover, Deal* or the isle of *Thanet* to any place or places in or upon the said rivers of *Thames* and *Medway*, before he or they shall be first examined, as has been usual, by the master and wardens of the said society or fellowship for the time being, touching his or their abilities, and shall be approved and admitted into the said society or fellowship at a court of load-manage by the lord warden of the cinque-ports for the time being or his deputy, and the said master and wardens for the time being, every such person or persons shall for the first offence forfeit ten pounds, for the second twenty pounds, and for every other offence forty pounds, to be sued for and recovered with full costs of suit, by any person or persons, by suit or action to be brought in the court of admiralty for the cinque ports, in case such offender shall live and be found within the jurisdiction of the said court, or else by action of debt, bill, plaint or information in any of his Majesty's courts of record at *Westminster*, wherein no essoin, privilege, protection or wager of law shall be allowed, and no more than one imparlance; which said sum or sums of money so to be forfeited and recovered, shall go and be, as to one moiety thereof, to the informer, and as to the other moiety thereof, to be paid to and received by the master and wardens of the said society for the time being, to be by them distributed to and amongst such superannuated pilots, and the widows of pilots of the said society, in like manner and proportion as the said master and wardens for the time being shall think fit and appoint, and as heretofore hath been used and practised by the said society.

II. Provided always, That this act shall not extend to prevent or hinder the master or mate of any ship or vessel, or part-owner residing at *Dover, Deal* or the isle of *Thanet*, from conducting or piloting his own ship or vessel from any of the places aforesaid up the said rivers; nor subject any person or persons (though not of the said society or fellowship) to the penalties aforesaid, who shall be hired by any master to conduct or pilot his ship or vessel from the said places, provided no one of the said society or fellowship shall, within the space of one hour after such ship or vessel shall arrive at any of the said places, be ready to conduct and pilot the same.

III. Provided always, That all masters of merchant-ships shall have liberty to make choice of such pilot of the said society or fellowship as he shall think fit; and that no person shall continue in the said society or fellowship, who shall not conduct or pilot a ship at least twice in any one year (unless prevented by sickness) to and from the places above-mentioned.

E c 3

IV. And

After Aug 1,
1717, no person shall pilot any ship from Dover, &c.

unless he have been examined, &c. by the master, &c. of of Trinity-house, and be admitted into that society.

First offence
10 l. second
20 l. and every other 40 l.

How the penalty shall be recovered and disposed of.

Masters, &c. residing at Dover, &c. may pilot their own ships, if none of the society be ready so to do.

Masters of merchant-ships may choose their pilots; and members of the society shall pilot ships twice a year.

Prices of pilot-
ing.

IV. And for preventing any exorbitant demands from any pilot or pilots of the said society for the conducting and piloting any ship or vessels from *Dover, Deal* or the isle of *Thanet* to any places in or upon the said rivers of *Thames* and *Medway*, That the following and no greater or other prices shall be taken or demanded than what is or are herein after mentioned; viz. For every ship or vessel drawing seven foot water, the sum of three pounds ten shillings: for every ship or vessel drawing eight foot water, the sum of four pounds: for every ship or vessel drawing nine foot water, the sum of four pounds ten shillings: for every ship or vessel drawing ten foot water, the sum of five pounds: for every ship or vessel drawing eleven foot water, the sum of five pounds ten shillings: for every ship or vessel drawing twelve foot water, the sum of six pounds: for every ship or vessel drawing thirteen foot water, the sum of six pounds ten shillings: for every ship or vessel drawing fourteen foot water, the sum of seven pounds: for every ship or vessel drawing fifteen foot water, the sum of seven pounds ten shillings: for every ship or vessel drawing sixteen foot water, the sum of eight pounds: and for every ship or vessel drawing seventeen foot water, the sum of eight pounds ten shillings; and no allowance to be made for odd inches.

Pilot losing a
ship, incapacitated from acting as a pilot.
To be 120 in
number, and
their names,
&c. to be af-
fixed, &c.

V. Provided also, That if any pilot as aforesaid shall negligently or carelessly lose the ship under his care, and be thereof convicted by due course of law, he shall be for ever after such conviction incapacitated for acting as a pilot; and that the number of such pilots shall not be less than one hundred and twenty, whose names, ages and places of abode shall every five and twentieth day of *March* be affixed in some publick place at the custom-houses at *London* and *Dover*, to which all persons may have recourse at seasonable hours; and for neglect of not returning every such list of pilots, the master and wardens of the said society shall forfeit ten pounds, to be recovered in the cinque ports by any person who shall sue for the same.

The master,
&c. to return
such list on pe-
nalty of 10 l.

VI. And whereas divers ships and vessels in bad weather are forced from their anchors and cables, and unreasonable sums of money demanded for salvage by such persons who take up and carry the said anchors and cables on board, before the owners can have such cables and anchors restored to them; or else they must apply themselves to the admiralty-court at *Dover*; and such ships and vessels must either leave their cables and anchors behind them, or suffer much more than the value thereof by being delayed in their voyage by the necessary forms of proceedings, should they stay to have the same determined in the said admiralty-court: for remedy whereof, and for preventing the like inconveniencies for the future, be it further enacted by the authority aforesaid, That from and after the nine and twentieth day of *September* one thousand seven hundred and seventeen the lord warden of the cinque ports for the time being shall nominate and appoint, by an instrument under his hand and seal, three or more substantial persons in each of the cinque ports, two antient towns, and their members, to adjust and determine any difference relating to salvage, if any such shall arise between the master of any vessel and the person or persons bringing such

Differences
concerning
salvage of an-
chors, &c.
how to be ad-
justed.

cable

able and anchor afloat; which said persons the said lord warden is hereby authorized and impowered, from time to time, to nominate and appoint; and in case any ship or vessel shall be forced from her cables and anchors by extremity of weather, and leave the same in any roads within the jurisdiction of the cinque ports, and the salvage cannot be adjusted between the persons concerned, That then the same shall be determined within the space of twelve hours by any one or more of the said persons appointed as aforesaid; any custom or usage to the contrary in any wise notwithstanding. To be determined in 12 hours.

VII. Provided always, That this act shall not extend or be construed to hinder any person or persons from assisting any ship or vessel in distress at any time, or subject such person or persons to the penalties of this act; any thing herein contained to the contrary thereof in any wise notwithstanding. Not to hinder any from assisting ships in distress.

VIII. And be it further enacted by the authority aforesaid, That the master and such two wardens of the said society or fellowship for the time being, as shall be appointed to examine into the skill and ability of any person or persons on their being first admitted as a pilot into the said society or fellowship, shall take the following oath, to be given them by the register of the said court of load-manage for the time being or his deputy, who are hereby impowered to administer the same, viz. Master, &c. appointed to examine into the ability of pilots, shall be sworn.

I A. B. do swear, That I will impartially examine and enquire into the capacity and skill of The oath.
in the art of pilotage over the Flats and round the Long Sand Head, and the coasts of Flanders and Holland, and will make true and speedy return thereof to the lord warden of the cinque ports for the time being, or his deputy, without favour, affection, fee or reward:

So help me God.

IX. Provided also, and it is hereby further enacted and declared, That this act, or any thing herein contained, shall not extend or be construed to extend to the taking away, abridging, hindring, prejudicing or impeaching of any grants, liberties, franchises and privileges heretofore granted to and vested in the corporation of the *Trinity-House of Deptford-Strond*; but that the said corporation shall hold and enjoy the same, as fully as they might have done in case this act had never been had or made; any thing in this act contained to the contrary thereof in any wise notwithstanding. Not to extend to the corporation of Trinity-house of Deptford-Strond.

X. And be it further enacted and declared by the authority aforesaid, That this act shall be taken and allowed, in all courts within this kingdom, as a publick act; and all judges and justices are hereby required to take notice thereof as such, without special pleading the same. To be taken as a publick act;

XI. Provided always, That this act shall continue in force for seven years, and from thence to the end of the next session of parliament, and no longer. By 7 Geo. 1. stat. 1. c. 21. Continuance of this act
Farther continued by
Power is given to the lord warden of the cinque ports, with the assent of 8 Geo. 2. c. 21. 23 Geo. 2. c. 26.

of others in the said act mentioned, to make orders for the government of pilots from Dover, &c.

CAP. XIV.

An act to continue an act of the first year of his Majesty's reign, intituled, An act for taking and stating the debts due and growing due to Scotland by way of equivalent in the terms of the union; and for relief of the creditors of the publick and the commissioners of the equivalent.

WHEREAS the honour, justice and publick faith of Great Britain are all concerned and engaged, That the agreement in the act of union be faithfully and exactly observed and executed: and whereas by an act of this present parliament, intituled, An act for taking and stating the debts due and growing due to Scotland by way of equivalent, in the terms of the union; and for relief of the creditors of the publick in Scotland and the commissioners of the equivalent, his Majesty was impowered to nominate and appoint commissioners for taking, examining and stating the debts due and growing due to Scotland by way of equivalent; which commissioners were vested with several powers, and directed to make up several accounts, as in the said act is more fully expressed; and the commission and powers thereby granted should continue in full force and virtue from the issuing thereof, for and during the space of one whole year, and till the end of the then next session of parliament; with several other clauses, and with this particular proviso, That none of the commissioners to be appointed pursuant to that act, should incur any penalties, forfeiture, incapacity or disability whatsoever, for putting the said act in execution: and whereas the commissioners appointed by his Majesty pursuant to the said act have not hitherto, as appears by their report, brought to any final conclusion the several accounts by the said act directed to be made; partly because their precepts in some cases were not answered, and in others, not in such time as to be brought into their report; partly because of the great and many difficulties which attend separating and distinguishing between the debts incurred before the union, and the debts incurred for the service of the united kingdom; both which have been without distinction provided for since the union: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in parliament assembled, and by the authority of the same, That the powers given to his Majesty by the said act for nominating and appointing commissioners for taking and stating the debts due and growing due to Scotland by way of equivalent, in the terms of the union, together with all the other powers, clauses and provisos therein contained, shall be and are hereby continued, from and after the determination of the said act, for and during the space of one whole year and to the end of the then next session of parliament.

II. And be it further enacted by the authority aforesaid, That all officers, accountants and other persons whatsoever, who car
give

Geo. 1. stat. 2.
c. 27.

The powers
given to his
Majesty by
1 Geo. 1. stat. 2.
c. 27. conti-
nued for one
year, &c.

give any information relating to the said accounts and matters in this and the former act contained, are hereby strictly enjoined and required to observe and execute such orders and directions, as the said commissioners appointed or to be appointed by his Majesty as aforesaid, or any three or more of them, shall by writing under their hands direct and appoint touching the accounts by this and the former act appointed to be taken and stated.

III. *And whereas by the said recited act of the first year of his Majesty's reign, it was enacted, That for relief of the creditors of the publick in Scotland and of the commissioners of the equivalent, until the accounts in that act mentioned should be taken and stated according to the true meaning thereof, the lords commissioners of the treasury or lord high treasurer for the time being should and might, on or before the first day of November one thousand seven hundred and fifteen, issue their or his order or orders for the payment of a sum not exceeding fifteen thousand eight hundred twenty two pounds eight shillings and seven pence three farthings to the commissioners of the equivalent in Scotland, or any person or persons to be appointed by them, or any two of them, out of any monies that had arisen or should arise by the therein mentioned revenues of customs and excises in Scotland, or either of them; which sum the commissioners of the equivalent were directed to apply for payment of one year's interest, viz. from the twenty third day of June one thousand seven hundred and fourteen to the twenty-fourth of June one thousand seven hundred and fifteen, of the capital sum of two hundred thirty thousand three hundred and eight pounds nine shillings and ten pence and five sixth parts of a penny, stated due to the said creditors of the publick in Scotland, and for the payment of the salaries of the said commissioners of the equivalent, and of the fees and salaries of their servants and necessary charges for the said year: and whereas the commissioners appointed by his Majesty pursuant to the act aforesaid have not hitherto brought the accounts thereby directed to be taken and stated to any final conclusion, so as the interest of the publick debts of Scotland, which are legally certified, can be thereby put into a regular course of payment; and it being just, that the interest which has grown due on the said debts since the twenty third day of June one thousand seven hundred and fifteen, together with the charges of the commission of the equivalent in Scotland, should be in the mean time provided for: be it therefore enacted by the authority aforesaid, That the lords commissioners of the treasury or lord high treasurer for the time being shall and may, on or before the first day of September one thousand seven hundred and seventeen, after paying or reserving sufficient to pay the civil establishment in Scotland, authorized by an act passed in the tenth year of the reign of her late majesty Queen Anne, intituled, *An act for laying additional duties on hides and skins, vellum and parchment, and new duties on starch, coffee, tea, drugs, gilt and silver wire, and policies of insurance, to secure a yearly fund for satisfaction of orders to the contributors of a further sum of one million eight hundred thousand pounds towards her Majesty's supply; and for the better securing the duties on candles; and for obviating doubts concerning certain payments in Scotland; and for suppressing unlawful letteries and**

Officers, &c. to observe the orders of the commissioners,

1 Geo. 1. stat. 2. c. 27.

Before Sept. 1, 1717, the treasury, after paying the civil establishment in Scotland, authorized by 10 Ann. c. 26.

other

may issue orders for payment of
 31,565 l. 2 s.
 5 d. 2 q. to the
 commissioners,
 &c. out of the
 customs and
 excise in
 Scotland.

How to be applied.

No debenture shall be stopped on account of any arrestment laid on them in the commissioners hands, after Aug. 1, 1717.

The commissioners may retain 14,000 l. to be applied for the encouragement of the manufacture of coarse wool.

other devices of the same kind; and concerning cake-fope; and for relief of Mary Ravenall in relation to an annuity of eighteen pounds per annum; and concerning prize cocoa nuts brought from America; and certain tickets which were intended to be subscribed into the stock of the South-Sea company; and for appropriating the monies granted in this session of parliament, issue their or his order or orders for the payment of a sum not exceeding thirty one thousand five hundred sixty five pounds two shillings and five pence half-penny to the commissioners of the equivalent in Scotland, or any person or persons to be appointed by them, or any three or more of them, out of the monies arisen or to arise out of any the customs, duties, excises or revenues, under the management of the commissioners of the customs and commissioners of the excise in Scotland, or either of them; which sum of thirty one thousand five hundred sixty five pounds two shillings and five pence half-penny shall be applied, and the said commissioners of equivalent are hereby directed and required to apply the same for the payment of two years interest of the capital sum of two hundred thirty thousand three hundred and eight pounds nine shillings ten pence and five six parts of a penny, stated due to the creditors of the publick in Scotland, by an act of the twelfth year of her late Majesty's reign; and of eighteen thousand two hundred forty one pounds ten shillings ten pence and two third parts of a penny, stated due to William Paterson, esq; by an act of the first year of his Majesty's reign, from the twenty third of June one thousand seven hundred and fifteen to the twenty fourth of June one thousand seven hundred and seventeen; and for payment of the salaries of the commissioners of the equivalent, and of the fees and salaries of their servants and the necessary charges of the office for the said two years; which sum so to be advanced to the said commissioners of the equivalent for the purposes aforesaid shall be brought into the accounts and charged upon the monies due and growing due to Scotland by way of equivalent, in the terms of the union.

IV. *And whereas several difficulties have arisen in receiving the interest on equivalent debentures, and other ways, by arrestments laid on them in the hands of the commissioners of equivalent in Scotland, to the great vexation of the proprietors: for removing thereof, be it enacted by the authority aforesaid, That no debentures, or the interest thereon, shall be liable to be stopped on account of any arrestment or attachment that shall be laid on them in the hands of the said commissioners, from and after the first day of August one thousand seven hundred and seventeen, or otherwise howsoever.*

V. *Provided always, and be it enacted by the authority aforesaid, That the commissioners of the equivalent for Scotland for the time being shall, and they are hereby authorized and empowered to secure and retain in their hands the sum of fourteen thousand pounds sterling, appointed by the fifteenth article of the union, for the encouragement of the manufacture of coarse wool in such shires as the same is or shall be produced, which*

said sum of fourteen thousand pounds, and every part thereof, shall be applied for the benefit of the said manufacture and the wool-masters, and to no other use or purpose whatsoever; any law or statute to the contrary notwithstanding.

CAP. XV.

An act for the better regulating the office of sheriffs, and for ascertaining their fees, and the fees for suing out their patents, and passing their accounts.

FOR the greater ease of sheriffs in the execution of their offices, and passing their accounts, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by authority of the same, That the several officers of his Majesty's high court of chancery, court of Exchequer, and the several auditors and receivers of the revenue of the crown in *Wales*, and their respective substitutes, deputies, agents, clerks, and all other officers and persons whatsoever, having and claiming any fee or reward whatsoever to be due, and payable to him or them from any sheriff, deputy-sheriff, or under-sheriff, of any county in *England* or *Wales*, for making out his or their patents or commissions, or the *Dedimus* for swearing them into their office, or for entering their recognizance or security, or for writing out and return of their process, or for their appraisals, or casting out of court, or for passing their accounts, or for making their *Quietus*, or for any other matter or thing whatsoever touching or concerning their sheriffalty, may from and after the first day of *Michaelmas-Term* in the year of our Lord one thousand seven hundred and seventeen, severally and respectively, for themselves and the persons for whom they act or officiate, receive and take for their pains and service in the matters aforesaid, the several fees or sums of money in the schedule or list hereafter mentioned and specified; all which fees in the said schedule mentioned the said several and respective officers, deputies, clerks, and other persons may claim; take and receive, from time to time, and shall not demand, take or receive any other or greater fee or reward whatsoever in any wise touching or concerning the premises in the said schedule mentioned, or any other matter or thing relating to the patent or swearing of any sheriff, or to the passing of his accounts; and if any person shall offend herein, such person shall forfeit to the party aggrieved five pounds, and treble the sum by him taken over above the just fees mentioned in the said schedule, together with his treble costs; all which shall be ordered, awarded and given to the party aggrieved, by the court of Exchequer, upon complaint and proof of such offence made and exhibited before the barons of the said court, in such short and summary way and method as to them shall seem meet.

II. *And whereas the profits payable by the sheriffs of the several counties of England, into the receipt of the Exchequer at Easter and Michaelmas yearly, remain the same at this day that they anciently were, although many of the rents and certainties out of which the said*

Clerks and officers concerned in passing sheriffs' patents or their accounts,

after the first day of *Michaelmas-Term*, 1717,

to take only the fees specified in the schedule hereafter mentioned,

on forfeiture of 5*l.* and treble the sum taken, to be ordered on complaint, by the Exchequer in a summary way.

pay-

The lord treasurer, &c. may order clerks and officers of the Exchequer, &c.

to give in a particular of rents and certainties, yearly set in process to sheriffs,

and reduce and settle the same,

with regard to the rents; and orders to be entered on record;

and the rents so settled to be the profits of each county; payable by the sheriff.

Sheriffs levying debts, &c. (except post-fines)

to have 1s. per pound for the 1st 100l. and 6d. for every 20s. above that sum;

and on process by Fi. fa. and

payments arise, have of late years been alienated from the crown: be it further enacted by the authority aforesaid, That the lord high treasurer of *Great Britain*, or commissioners of the treasury for the time being, the chancellor and chief baron of his Majesty's court of Exchequer, and the rest of the barons of that court, or any two or more of them, shall and may, from time to time, at the request of any sheriff or sheriffs, or as often as they shall think fit, call before them the remembrancer in the court of Exchequer, commonly called the treasurer's remembrancer, and the clerk of the pipe, or their deputies, secondaries, and such other officers as they shall think fit, and shall cause the said officers or some of them, to bring before them an account or particular of all the rents and certainties written out yearly in processes to the sheriff of each respective county in *England* to levy for the crown; and upon due examination and consideration thereof had, are hereby impowered and required, from time to time, to alter, diminish, reduce or establish the several sums wherewith the said sheriffs stand or shall stand chargeable on the rolls of profers in the said court of Exchequer, to such reasonable and moderate sums as to them shall seem just and reasonable, with regard to the amount or value of the rents in each county respectively; and that orders of the court of Exchequer be drawn up pursuant thereunto, and entered upon record in the several offices of his Majesty's remembrancer, the lord treasurer's, or the commissioners of the treasury's remembrancer, and clerk of the pipe, some time before the last day of *Michaelmas-Term* then next following; and that, from time to time, the sum and sums of money so reduced, ascertained and settled, shall be deemed and taken to be the profers of each respective county, and the rolls of profers, from time to time, shall be made conformable thereunto; and the said sum and sums so reduced, ascertained and settled, as aforesaid, and no other, shall be paid by the said respective sheriffs for their profers, at the days and times, and in the manner formerly used for profers.

III. And be it enacted by the authority aforesaid, That from and after the ninth day of July in the year of our Lord one thousand seven hundred and seventeen, all sheriffs who shall levy any debts, duties or sums of money whatsoever, except post-fines, due or hereafter to become due to the King's majesty, his heirs or successors, by process to them directed upon the summons of the pipe or green wax, or by *Levari Facias*, out of the court of Exchequer, shall from time to time, for their care, pains and charges, and for their encouragement therein, have an allowance upon their accounts of twelve pence out of every twenty shillings for any sum not exceeding one hundred pounds so by them levied or collected; and the sum of six pence only for every twenty shillings over and above the first one hundred pounds; and for all debts, duties and sums of money, except post-fines, due or to become due to his Majesty, his heirs and successors, by process on *Fieri facias*, and extent, issuing out of any

any of the offices of the court of Exchequer, the sum of one shilling and six pence out of every twenty shillings, for any sum not exceeding one hundred pounds so by them levied or collected; and the sum of twelve pence only for every twenty shillings over and above the first one hundred pounds: provided always such sheriff shall duly answer the same upon his account by the general sealing day of such term in which he ought to be dismissed the court, or in such time to which he shall have a day granted to finish his said accounts, by warrant signed by the lord chief baron, or one of the barons of the coif of the said court for the time being, and not otherwise.

IV. *And whereas by virtue of an act made in the fourth and fifth years of the reign of their late majesties King William and Queen Mary, for encouraging the apprehending of highwaymen; and of one other act made in the sixth and seventh years of his said late majesty King William the Third, to prevent counterfeiting and clipping the coin of this kingdom; and of one other act made in the fifth year of her late majesty Queen Anne, for encouraging the apprehending of house-breakers, the respective sheriffs of England and Wales are obliged to pay the several rewards of forty pounds, as in those acts is directed upon the convictions of highwaymen, clippers, coiners or house-breakers, to such person or persons who shall bring to such sheriff a certificate under the hand of the judge or justices before whom such offenders were convicted, directing payment thereof, under the penalty of forfeiting to the party entitled thereunto double the sum so certified, with treble costs of suit; which said reward of forty pounds being so paid, as aforesaid, is by the said several acts ordered to be allowed to the such sheriff upon his account; and if there should not be remaining in the hands of such sheriff, monies sufficient for that purpose, that in such case the surplusage occasioned thereby, should be repaid to such sheriff by the lord high treasurer, or the commissioners of the treasury for the time being, out of the revenue of the crown, upon certificate thereof from the clerk of the pipe, or by the auditor of Wales, as by the said respective acts may more at large appear: and whereas since the making of the said acts, it hath been found, that many sheriffs have been put under great difficulties and inconveniencies thereby, not only by reason of paying down great sums of money for the rewards aforesaid, before the publick revenue writ out to them in process could be levied or collected by them, but also by reason that such sheriff cannot have a certificate of his surplusage from the clerk of the pipe, or the auditor of Wales, until he hath fully finished his account, and be dismissed the court, by which means the sheriff is kept a long time out of his money so disbursed for the rewards aforesaid: be it therefore enacted by the authority aforesaid, That no sheriff shall be obliged to bring or charge in his accounts any sum or sums of money to be paid for the rewards abovementioned, or any of them, from and after the ninth day of July one thousand seven hundred and seventeen, but shall and may immediately apply for the same to the lord high treasurer of Great Britain, or commissioners of the treasury for the time being, who upon inspecting a due certificate of the conviction of such offender or offenders, for which*

extent; to have 1 s. 6 d. per pound for the 1st 100 l. and 1 s. per pound above. Provided he answer the same on his account.

4 & 5 W. & M. c. 8.

6 & 7 W. & M. c. 17.

5 Ann. c. 31.

After 9 July 1717. sheriff not obliged to charge money for apprehending highwaymen, or coiners, &c. or house-breakers; but may on the judge's certificate of the conviction and receipt of the party entitled to the reward, apply to the lord treasurer, &c.

such

who shall pay him the sums disbursed without fee.

No sheriff shall be attached, &c. for not finishing his accounts, &c. but by writ under the Exchequer-seal, or by warrant of a baron, wherein such sheriff's name and his offence to be inserted.

No clerk, &c. concerned in passing sheriffs accounts, shall hinder the same, or prevent his being apposed, &c. nor after payment or tender of the fees, shall refuse, &c. to make out, &c. his *Quietus*, on penalty of such satisfaction as the barons shall order in a summary way.

No sheriff in England, (except for Chester, &c.) who shall be in surplusage by any disbursements for the King's service, (except the rewards appointed by the acts supra) shall be obliged to take out a record of such surplusage, but may

such reward shall be ordered to be paid, as aforesaid, by virtue of the said acts, or any of them, together with the receipts or acquittances of the parties entitled to receive the same, shall forthwith repay to such sheriff or sheriffs respectively, all such monies so disbursed and paid, as aforesaid, without any fee or reward whatsoever; any thing in the aforesaid acts, or any of them, contained to the contrary thereof in any wise notwithstanding.

V. And be it enacted by the authority aforesaid, That no sheriff or under-sheriff shall be attached or taken into custody by any officer of the court of Exchequer, or other person whatsoever, for not being apposed upon any writ or process, for not finishing his accounts in due time, or for any contempt or neglect whatsoever relating to his accounts, but by writ under the seal of the said court of Exchequer, or by warrant for that purpose to be signed by the lord chief baron, or one of the barons of the coif of the said court of Exchequer for the time being, to be executed by the marshal of the said court, or his deputy; in which warrant the name of such sheriff or under-sheriff shall be particularly inserted, and his offence particularly specified and expressed.

VI. And for preventing delays and unnecessary attendance of sheriffs in passing their accounts, be it enacted by the authority aforesaid, That from and after the first day of *Michaelmas-Term* in the year of our Lord one thousand seven hundred and seventeen, if any officer, clerk or other person concerned in or about the passing of sheriffs accounts, shall wilfully retard or hinder any sheriff in the passing of his accounts, or by his wilful neglect or absence, or by other undue means or ways, prevent any sheriff from being apposed or cast out of court in due time, or after payment or tender of his or their due fees herein ascertained, shall refuse or neglect to enrol, make out, sign and deliver his *Quietus* in due time, in every such case the person so offending shall make such recompence and satisfaction to the party aggrieved as shall be adjudged, ordered or decreed by the barons of the court of Exchequer, upon complaint thereof made and exhibited before them, in such short and summary way and method as to them shall seem meet.

VII. *And whereas it frequently happens that a sheriff may disburse more money for the service of the crown than his whole charge amounteth unto, by reason whereof such sheriff must necessarily be in surplusage upon his account: and whereas such surplusage cannot be obtained by the usual course of the Exchequer, but by record of surplusage, which is very dilatory and expensive to the sheriff:* be it therefore enacted by the authority aforesaid, That from and after the first day of *Michaelmas-Term* aforesaid, if any sheriff of any county in *England*, (except the counties palatine of *Chester*, *Durham* and *Lancaster*, and the several counties of *Wales*, which do not pass their accounts before the clerk of the pipe) shall happen to be in surplusage upon his account, by reason of any disbursements whatsoever by him made for the service of his Majesty, his heirs or successors (other than for the rewards of forty pounds severally and

and respectively allowed and given by virtue of the several acts herein before-mentioned, to such persons as shall apprehend a clipper, coiner, highwayman or house-breaker) such sheriff shall not be obliged to take out a record of surplufage for the same, but shall and may apply to the lord high treasurer of Great Britain, or to the commissioners of the treasury for the time being, for the payment of such surplufage, who are hereby required and authorized to pay the same upon the sheriff's producing a certificate of such surplufage from the clerk of the pipe, or his deputy.

VIII. *And whereas great inconveniencies have arisen by the death of sheriffs, during the time of their sheriffalty:* be it enacted by the authority aforesaid, That if any high-sheriff of any county of England or Wales shall happen to die before the expiration or determination of his year, or before he be lawfully superfeded, in such case the under-sheriff or deputy-sheriff by him appointed shall nevertheless continue in his office, and shall execute the same, and all things belonging thereunto, in the name of the said deceased sheriff, until another sheriff be appointed for the said county and sworn, in manner as is herein after directed; and the said under-sheriff or deputy-sheriff shall be answerable for the execution of the said office in all things, and to all respects, intents and purposes whatsoever, during such interval as the high-sheriff so deceased would by law have been if he had been living; and the security given to the high-sheriff so deceased by the said under-sheriff, and his pledges, shall stand, remain, and be a security to the King, his heirs and successors, and to all persons whatsoever, for such under-sheriff's due performance of his office during such interval.

IX. *And whereas it frequently happens that the process issuing out of the court of Exchequer, for levying debts and duties due to the crown, may be in part executed by a sheriff before he be superfeded, and afterwards in part by the subsequent sheriff, and no provision hath hitherto been made for settling and adjusting the distribution of the fees and poundage claimed and demanded by them in such cases:* be it therefore enacted by the authority aforesaid, That when and so often as any sheriff shall, by process out of the court of Exchequer, seize or extend any goods, chattels or personal estate, into the hands of his Majesty, his heirs or successors, for any debts or duties due to the crown, and shall die, or be superfeded, before a writ of *Venditioni Exponas* be awarded to him for sale of the same, or before such sheriff hath made actual sale thereof, and a writ shall afterwards be awarded to a subsequent sheriff, who by virtue thereof shall make sale or disposition of such goods, chattels and personal estate so seized or extended by such preceding sheriff, as aforesaid, in such case the barons of the court of Exchequer, if then sitting, and if not sitting, the said barons, or any one of them, being of the degree of the coif, shall order, settle and apportion the fees or poundage due for such seizure and sale betwixt such preceding and subsequent sheriffs, in such manner and proportions as to him or them shall seem

apply to the lord treasurer, who is to pay the same on producing the clerk of the pipe's certificate thereof.

Sheriff dying before his office is expired, his under-sheriff shall execute the same in the deceased sheriff's name, till a new sheriff be sworn, and be answerable for the execution thereof as the deceased should have been; and the security given by the under-sheriff is to continue.

When a sheriff seizes goods, &c. for the King's debts, and dies, or is superfeded before sale; and the subsequent sheriff makes sale, &c. The Exchequer may apportion the fees, &c. between the precedent and the subsequent sheriff.

seem meet, with regard to the expence and trouble each respective sheriff hath had or shall have in the execution of the said process.

X. And whereas the office of under-sheriff, and other offices, and places in the disposal of the high-sheriff, have of late years been frequently sold, and let to farm, contrary to the several statutes heretofore made for restraining sheriffs from such practices, and contrary to the oath and duty of a sheriff, whereby many and great inconveniences have happened to the subjects of this realm by the oppressions and exactions of under-sheriffs, bailiffs, and other officers concerned in the execution of the King's process: for remedy whereof, be it enacted by the authority aforesaid, That from and after the said twenty ninth day of September in the year of our Lord one thousand seven hundred and seventeen, it shall not be lawful to or for any person or persons whatsoever, to buy, sell, let, or take to farm, the office of under-sheriff, deputy-sheriff, seal-keeper, county-clerk, shire-clerk, gaoler, bailiff, or any other office or place pertaining to the office of high-sheriff of any county or shire in England or Wales, or to contract for, promise, or grant for money, or other reward or benefit, the said offices or places, or any of them; nor to give, take, promise or receive any other consideration whatsoever for the said offices, or any of them, directly or indirectly by themselves, or any person in trust for them, or for their use; and whosoever shall offend therein shall forfeit the sum of five hundred pounds, a moiety whereof to his Majesty, his heirs and successors, and the other moiety thereof to such person or persons as shall sue for the same, to be recovered by action of debt, bill, plaint or information in any of the courts of record at Westminster, in which no essoin, protection or wager of law shall be allowed, nor any more than one imparlance; provided, That such suit be commenced within two years after such offence committed, and not otherwise.

After Sept. 29, 1717, none shall buy, &c. the office of under-sheriff, &c.

on forfeiture of 500l. one half to the King, the other to the prosecutor; to be recovered in any court at Westminster.

Prosecution within two years.

Nothing ante shall hinder a high-sheriff from appointing an under-sheriff, &c. nor an under-sheriff acting as high-sheriff on his death, &c. from appointing a deputy, nor from taking the fees, &c. nor discharge such under-sheriff, &c. from accounting for fees, &c. nor hinder the sheriff from al-

XI. Provided, That nothing in this act before contained shall any ways hinder or prevent such high sheriff from constituting and appointing an under-sheriff or deputy-sheriff to act in his stead, as by law he may and ought to do; nor to hinder the under-sheriff in case of the high-sheriff's death, when he acts as high-sheriff, from constituting or appointing a deputy, which he is hereby impowered to do; nor to hinder, prevent or a-bridge such sheriff or under-sheriff, from demanding, taking or receiving the just and lawful fees and perquisites of the office of sheriff, or any place or employment pertaining thereunto, or for taking security for the due answering the same; nor to discharge, hinder or prevent such under-sheriff, deputy-sheriff, seal-keeper, county-clerk, shire-clerk, gaoler, bailiff or other person, having or executing any place or office under such sheriff, from accounting to the high-sheriff for all such just and lawful fees and perquisites as shall by them, or any of them, be taken and received in their respective offices, places or employments, nor for giving security so to do; nor to hinder or prevent the high-sheriff

eriff from allowing or securing such salary or recompence to his under-sheriff, deputy-sheriff, seal-keeper, county-clerk, shire-rk, gaoler, bailiff or other officer, for the execution of the said ices, places or employments, or any of them, as to him shall meet; nor to hinder or prevent the under-sheriff, deputy-sheriff, seal-keeper, or other officer or person aforementioned, from taking and receiving such salary and recompence for his pains and services therein.

XII. *And for the more effectual enforcing and obliging the respective clerks of assizes, clerks of the peace, clerks of the commissioners of assizes, clerks of the market, town-clerks, or other persons to whom it may belong to make returns of estreats into the court of Exchequer, to make out and deliver their respective estreats, duplicates, certificates and schedules in due time, so that the sheriff may not be delayed or retarded in the passing his account for want of the said estreats according to the direction, purport and intent of an act made the two and twentieth and three and twentieth years of the reign of his late majesty King Charles the Second, intituled, An act for the better and more certain recovery of fines and forfeitures due to his Majesty, and made perpetual by an act made in the sixth and fifth years of the reign of their late majesties King William the Third and Queen Mary; be it enacted by the authority aforesaid, That every and above the penalties mentioned in the said acts, or either of them, it shall and may be lawful to and for the barons of the court of Exchequer, from time to time, to amerce such clerk of the assize, clerk of the peace, clerk of the commissioners of assizes, clerk of the market, town clerk, or other person, to whom it doth or may belong to make returns of estreats into the said court of Exchequer, as aforesaid, for refusing, neglecting, or omitting to perform and do his or their duty in returning the said estreats, at the times and according to the direction, purport and intent of the said two acts, and to cause the said amerciaments to be levied and answered by such ways and means, and in such manner as other amerciaments set in the said court by or have been used to be done.*

XIII. *And for preventing of oppressions and injuries which may be done to his Majesty's subjects, by the abuse of sheriffs, bailiffs, and others, employed in levying and collecting any debts, duties or sums of money, due or hereafter to become due to his Majesty, his heirs or successors, by process of the court of Exchequer: be it enacted by the authority aforesaid, That no sheriff, under-sheriff, bailiff, or other person employed in levying or collecting any of the said debts, duties or sums of money, shall take, ask, or receive any fee, gratuity, or reward whatsoever, of the person or persons liable to pay the said debts, duties, or sums of money, or of any other person, for or upon pretence of such levying or collecting, except the sum of four pence only for an acquittance of such sum as shall be so levied or collected; which acquittance such officer is hereby required to give and deliver to the person upon or from whom such debt shall be levied, collected or received; and the bailiff or other person receiving such debt or sum of money shall, from time to time, answer and account*

lowing salaries to his under-sheriff, &c. nor the under-sheriff, &c. from receiving the same.

Besides the penalties in the acts of 22 & 23 Car. 2. c. 22. made perpetual by 4 & 5 W. & M. c. 24. s. 4. the barons may amerce clerks of the assizes, &c. for refusing, &c. to return estreats into the Exchequer and may cause such amercements to be levied as usual.

No sheriff or other employed in levying, &c. debts to the crown shall take any fee for levying, &c.

except 4 d. quarterly for an acquittance.

And the bailiff, &c. receiving such debt shall account for the same to the sheriff, &c. and may require an acquittance without fee. And the sheriff is to answer it on his accounts in the Exchequer.

If a sheriff, &c. shall nichil, &c. such debts collected &c. he forfeits treble damages to the party, and double the sum to nichil.

The penalty to be ordered by the Exchequer in a summary way.

And if a sheriff, &c. demands or takes any money for executing such process; or as fees, for collecting such debts, &c. or for not levying, &c. he is guilty of extortion; and forfeits treble damages, &c. to the party aggrieved, and double the sum extorted, to be ordered as above, if conviction be within two

for the same to the sheriff or his deputy, and may require an acquittance also from such sheriff or his deputy for such sum, who are hereby required to give the same without any fee or reward; and of and from such debts or sums of money so levied, collected or received as aforesaid, the said sheriffs, and every of them, shall effectually discharge the said debtors and persons respectively by totting and answering the same to his Majesty, his heirs and successors, upon their respective accounts in the Exchequer: and in case any sheriff, under-sheriff or deputy-sheriff shall nichil or not duly answer to the crown any debt or sum of money so levied, collected or received, such sheriff, under-sheriff or deputy-sheriff for every such offence shall forfeit treble damages to the party aggrieved, and double the sum so nichilled or not duly answered as aforesaid; which said damages and penalty shall be ordered, decreed and given to the person aggrieved by the court of Exchequer, upon complaint and proof of such abuse as aforesaid made and exhibited before the barons of the said court, in such short and summary way and method, as to them shall seem meet: and in case any sheriff, under-sheriff, deputy-sheriff, bailiff or other person shall presume to demand, take or receive any sum or sums of money whatsoever, be the same more or less, of any person whatsoever, from whom any debt or sum of money is or shall be due and payable to the crown by process out of the court of Exchequer, for or in respect or upon pretence of executing the said process, or for or in respect or upon pretence of fees due to them, or any of them, for collecting or receiving the same, contrary to the true intent and meaning of this act; or if any of the officers or persons aforesaid shall demand, take and receive any sum or sums of money whatsoever for not levying or forbearing to levy any debts, duties or sums of money, which are or shall be due to his Majesty, his heirs and successors, and written out to them, or any of them by the process aforesaid: in all and every such case every person so offending, and being thereof lawfully convicted, shall be adjudged, deemed and taken, and is and are hereby adjudged, deemed and taken to be guilty of extortion, injustice and oppression; and all and every such person and persons being thereof lawfully convicted, shall forfeit for every such offence treble damages and costs to the party aggrieved, and double the sum so extorted: all which damages and penalties shall be ordered, decreed and given by the barons of the court of Exchequer upon complaint and proof of such extortion made and exhibited before them, in such short and summary way and method, as to them shall seem meet as aforesaid; provided such conviction be had and made within two years after such offence committed, and not otherwise.

XIV. Provided, That nothing in this act contained shall be construed to deprive any sheriff of such poundage or allowance as is allowed and given to them by virtue of this act, or of such poundage, allowance or reward as may hereafter be made, allowed and given to them, or any of them, by warrant or order

from

rom the lord high treasurer or commissioners of the treasury, chancellor of the Exchequer or barons of the court of Exchequer for the time being, for or in respect of any extraordinary service to the crown that may happen to be performed by them, or any of them: but that the said sheriffs shall and may enjoy the full benefit and advantage of such poundage, allowance and reward without any impeachment or molestation whatsoever; any thing in this act contained to the contrary thereof in any wise notwithstanding.

act, or by warrant of the treasury, &c. for any extraordinary service to the crown.

XV. And be it enacted by the authority aforesaid, That whatever orders or decrees shall be made by the barons of the court of Exchequer for costs, damages and penalties in the cases fore-mentioned, or any of them, or in any other case in this act hereafter mentioned, by virtue and in pursuance of this act, in such short and summary way and method as is herein before directed and prescribed, shall have the same effect, force and virtue, to all intents and purposes, as any other order or decree of the same court; and the said costs, damages and penalties shall be raised, levied and obtained by such process, ways and methods, as are used in the said court to enforce a compliance with any other orders or decrees of the same court.

All orders, &c. for costs, &c. ordered by this act, in a summary way shall have the same force, &c. as other orders of the Exchequer. And such costs, &c. shall be raised, &c. by such process, &c. as are used there.

XVI. And for ascertaining the fees for executing of writs of *Legit*, so far as the same relate to the extending of real estates, and for ascertaining the fees for executing of writs of *Habere facias Possessionem aut Seisinam*; be it enacted by the authority aforesaid, That from and after the last day of *Michaelmas-term* in the year of our Lord one thousand seven hundred and seventeen it shall not be lawful for any sheriff, under-sheriff, deputy-sheriff or their bailiffs, or for the bailiff of any franchise or liberty, or any of them, by reason or colour of their office or offices, or by reason or colour of their executing of any writ or writs of *Habere facias Possessionem aut Seisinam*, to demand, ask or receive any other or greater consideration, fee, gratuity, or reward, than is hereafter mentioned, (which shall be lawful to be demanded and taken) that is to say, the sum of twelve pence for every twenty shillings of the yearly value of any manor, messuage, lands, tenements and hereditaments, whereof possession or seisin shall be by them or any of them given, where the whole exceedeth not the yearly value of one hundred pounds, and the sum of six pence only for every twenty shillings *per annum* over and above the said yearly value of one hundred pounds.

No sheriff, &c. shall for executing an *Hab. fac. posses.* &c. take above 12 s. per pound of the yearly value of any manor, &c. where the whole exceeds not 100 l. per annum, and 6 d. only for every 20 s. above the said yearly value. By 8 Geo. 1. c. 25. sect. 5. no more is to be taken on an extent and liberate.

XVII. And whereas it often happens that small sums only are remaining due upon judgments, statutes and recognizances given, acknowledged and entered into for great sums and penalties, and nevertheless in these cases upon executing of writs of *Capias ad satisfaciendum*, the sheriff demands and takes for his fees poundage for the whole money for which such judgments, statutes or recognizances are entered or acknowledged; which poundage often far exceeds the debt due to the plaintiff in such writs: for remedying of which grievance and inconvenience, be it enacted by the authority aforesaid, That from and after the said last day of *Michaelmas-term* one thousand seven hundred and seventeen, poundage shall in no

Poundage shall not be taken for executing any *Ca. Sa.* upon any judgment, &c. (of which part is paid) for any greater sum than what remains due to the plaintiff, who is to mark the

same on the back of the writ.
And any sheriff, &c. so offending, is guilty of extortion, &c. and for each offence shall forfeit to the party grieved treble damages, and double the sum so extorted; to be ordered by the court which issued the writ, in a summary way, and also 200 l. one half to the King, the other to the prosecutor, in any court at Westminster, if such suit be commenced within two years.

case be demanded or taken upon executing of any writ of *Capias ad satisfaciendum*; or upon charging any person in execution by virtue of such writ; for any greater sum than the real debt *bona fide* due and claimed by the plaintiff amounteth unto; which sum the plaintiff shall be and is hereby obliged to mark and specify on the back of such writ, before the same be delivered to the sheriff to be executed; and in case any sheriff, under-sheriff, deputy-sheriff, bailiff or other person shall offend against the true meaning hereof, by taking any greater fees, gratuity or reward, than is herein before allowed, every such person so offending as aforesaid, and being thereof lawfully convicted, shall be adjudged, deemed and taken, and is and are hereby adjudged, deemed and taken to be guilty of extortion, injustice and oppression; and all and every such person and persons being thereof lawfully convicted as aforesaid, shall for every such offence forfeit to the party aggrieved treble damages, and double the sum so extorted; which said damages and penalties shall be ordered, decreed and given to the said aggrieved party by the court out of which such writ or writs issued, upon complaint and proof of such extortion made and exhibited before the judges of such court, in such short and summary way and method, as to them shall seem meet; and over and above the said damages and penalties, every such person so offending and convicted as aforesaid shall forfeit the sum of two hundred pounds; one moiety whereof shall be to the King's majesty, his heirs and successors, and the other moiety thereof to such person or persons as shall sue for the same; to be recovered by action of debt, bill, plaint or information in any of the courts of record at Westminster, in which no essoin, protection or wager of law shall be allowed, nor any more than one imparlance; provided such suit be commenced within two years after such offence committed, and not otherwise; and provided likewise, That no person be sued or prosecuted by virtue of this act for any offence of this kind committed before the said last day of Michaelmas-term one thousand seven hundred and seventeen.

XVIII. And be it enacted by the authority aforesaid, That instead of the oath usually administered to sheriffs at the entering upon their offices, the following oath shall be taken by them and each of them respectively, excepting the sheriffs of the several counties in Wales, and of the county palatine of Chester; (*videlicet*)

The high sheriff's new oath.

I A. B. do swear, That I will well and truly serve the King's majesty in the office of sheriff of the county of _____, and promote his Majesty's profit in all things that belong to my office, as far as I legally can or may; I will truly preserve the King's rights, and all that belongeth to the crown; I will not assent to decrease, lessen or conceal the King's rights, or the rights of his franchises; and whensoever I shall have knowledge that the rights of the crown are concealed or withdrawn, be it in lands, rents, franchises, suits or services, or in any other matter or thing, I will do my utmost to make them

me be restored to the crown again; and if I may not do it myself, I will certify and inform the King thereof; or some of his judges; I will not respite or delay to levy the King's debts for any gift, promise, reward or favour, where I may raise the same without great grievance to the debtors; I will do right, as well to poor as to rich, all things belonging to my office; I will do no wrong to any man for any gift, reward or promise, nor for favour or hatred; I will disturb no man's rights, and will truly and faithfully acquit at the Exchequer all use of whom I shall receive any debts or duties belonging to the crown; I will take nothing whereby the King may lose, or whereby his rights may be disturbed, injured or delayed; I will truly return and truly serve all the King's writs according to the best of my skill and knowledge; I will take no bailiffs into my service, but such as I will answer for, and will cause each of them to take such oaths as I, in what belongeth to their business and occupation; I will truly set and return reasonable and due issues of them that be within my bailiwick, according to their estate and circumstances, and make due panels persons able and sufficient, and not suspected or procured, as is pointed by the statutes of this realm; I have not sold or let to farm, nor contracted for; nor have I granted or promised for reward or benefit, nor will I sell or let to farm, nor contract for, or grant for reward or benefit, by myself or any other person for me, for my use, directly or indirectly, my sherrifswick or any bailiwick thereof, or any office belonging thereunto, or the profits of the same, to any person or persons whatsoever; I will truly and diligently execute the good laws and statutes of this realm; and in all things well and truly behave myself in my office, for the honour of the King and the good of his subjects, and discharge the same according to the best of my skill and power.

So help me God.

XIX. And be it enacted by the authority aforesaid, That the following oath shall be taken by all under-sherriffs of any county or counties of South-Britain, except the several counties of Wales, and county palatine of Chester, before they enter upon the execution of their offices respectively; (videlicet)

[A. B. do swear, That I will well and truly serve the King's majesty in the office of under-sherriff of the county of _____ and promote his Majesty's profits in all things that belong to the said office, as far as I legally can or may; I will preserve the King's rights, and all that belongeth to the crown; I will not assent to decrease, lessen or conceal the King's rights, or the rights of his franchises; and whensoever I shall have knowledge that the rights of the crown are concealed or withdrawn, be it in lands, rents, franchises, suits or services, or in any other matter or thing, I will do my utmost to make them be restored to the crown again; and if I may not do it of myself, I will certify and inform some of his Majesty's judges thereof; I will not respite or delay to levy the King's debts for any gift, promise, reward or favour, where I may raise the same without great grievance to the debtors; I will do right as well to poor as to rich, in all things

The under-sherriff's new oath.

things belonging to my office; I will do no wrong to any man for any gift, reward or promise, nor for favour or hatred; I will disturb no man's right, and will truly and faithfully acquit all the Exchequer all those of whom I shall receive any debt, duties or sums of money belonging to the crown; I will take nothing whereby the King may lose, or whereby his right may be disturbed, injured or delayed; I will truly return, and truly serve all the King's writs to the best of my skill and knowledge; I will truly set and return reasonable and due issues of them that be within my bailiwick, according to their estates and circumstances; and make due panels of persons able and sufficient, and not suspected, or procured, as is appointed by the statutes of this realm; I have not bought, purchased, or taken to farm, or contracted for, nor have I promised, or given any consideration, nor will I buy, purchase or take to farm, or contract for, promise or give any consideration whatsoever, by myself, or any other person for me or for my use, directly or indirectly, to any person or persons whatsoever, for the office of under-sheriff of the county of

, which I am now to enter upon and enjoy, nor for the profits of the same, nor for any bailiwick thereof, or any other place or office belonging thereunto; I have not sold nor contracted for, or let to farm, nor have I granted or promised, for reward or benefit, by myself, or any other person for me or for my use, directly or indirectly, any bailiwick thereof, or any other place or office belonging thereunto; I will truly and diligently execute the good laws and statutes of this realm; and in all things well and truly behave myself in my said office for his Majesty's advantage, and for the good of his subjects, and discharge my whole duty extending to the best of my skill and power.

So help me God.

How and by whom the said oaths to be administered.

Which said oath is hereby ordered and enacted to be administered and given by such commissioners as shall be named and authorized to administer the foregoing oath to the high sheriff in the country, when and so often as a commission or *Writ* shall be sued forth of the proper court for that purpose, or by the barons of the said court, or one of them, when the said sheriff desire to be sworn in town.

Sheriffs of Wales and Cheshire to take the old oath with an omission,

XX. Provided that the sheriffs of *Wales*, and the county palatine of *Cheshire*, shall not be obliged to take the aforesaid oaths, or either of them, but shall still take the usual and accustomed oaths as they have formerly done (except the words following, *videlicet*, *Ye shall be dwelling in your own proper person within your bailiwick, for the time ye shall continue in the same office, except ye be otherwise licensed by the King*) which words shall hereafter be left out of the said oaths.

This act not to extend to sheriffs of London, &c. as to their disposing of the offices of

XXI. Provided that this act, or any thing therein contained, shall not extend to the sheriffs of *London* and *Middlesex*, the county palatine of *Durham*, the county of *Westmorland*, or to the sheriffs of any city or town being a county of itself, or to any of them, as to their placing in or disposing of any of the offices, places

places or employments of their under-sheriffs, county-clerks, under-sheriffs' bailiffs, or other officers, or their continuance therein. &c.

XXII. And whereas by an act made in the four and five and thirtieth years of King Henry the Eighth, intituled, An act for certain ordinances in the King's majesty's dominions and principality of Wales, it is (amongst other things) enacted, That there shall be sheriffs in every of the twelve shires of Wales, yearly appointed by the King's majesty; and that the said sheriffs shall yearly account before such the King's auditor or auditors as shall be assigned and appointed by the King's majesty for his dominion of Wales: he it therefore enacted and declared by the authority aforesaid, That the said sheriffs of Wales shall not be compelled to appear to be apposed in his Majesty's court of Exchequer, but shall account before his Majesty's said auditor or the auditors of the principality of Wales, and not elsewhere; any law, statute, custom or usage to the contrary notwithstanding: and that the *Quietus* of the said sheriffs, under the auditor's hand, or his deputy, shall be a sufficient discharge for the said sheriffs in that behalf.

34 & 35 H. 8.
c. 26.

Sheriffs in Wales to account, as by the said act, before the auditors of Wales, and have their *quietus* signed by them.

XXIII. And whereas by the act made in the thirteenth and fourteenth years of the reign of King Charles the Second, intituled, An act for preventing the unnecessary charge of sheriffs, and for ease in passing their accompts, it was (amongst other things) provided, That the sheriffs of the county of Chester, Lancaster and Durham, being counties palatine, as to their manner of accounting, should account before the respective auditors of the said counties only and not elsewhere: be it enacted and declared by the authority aforesaid, That the respective auditors of the said counties, or their deputies, by virtue of their respective offices, shall and may take, state and allow the accounts of the sheriffs of the said respective counties, and appose the said sheriffs respectively touching the execution of the process to them respectively directed, called the King's process; and that the said respective sheriffs, upon such their accounts touching the premises, shall and may save, sue forth, and obtain their respective *Quietus est* and discharge from the said respective auditors or their deputies, according to their ancient course and usage of the sheriffs of the said counties palatine only.

13 & 14 Car. 2.
c. 21.

Sheriffs of Cheshire, &c. to account, as by the said act, before the auditors of those counties;

and sue out their *quietus*, &c. from those auditors.

XXIV. And be it further enacted by the authority aforesaid, That the sheriffs of the city and county of the city of Chester, and their successors, shall and may account, as formerly, before the mayor of the same city, and his successors (for the time being) for and touching all such matters and things as have been heretofore granted from the crown to the same city in and by their several and respective charters.

Sheriffs of the city of Chester to account as formerly before the mayor of that city, for all things granted by their charters. But for other matters before the auditors of the county, as the sheriffs of that county are above appointed to do.

XXV. And as for and concerning all other matters and things whatsoever, not mentioned to be granted in or by the charters of or to the same city, and for which the sheriffs of the same city are or ought to be accountable to his Majesty, his heirs and successors; it is hereby further declared and enacted by the authority aforesaid, That the sheriffs of the said city of

Chester, and their successors, shall at all times hereafter account for and concerning the same, before, and be apposed by, and obtain their *Quintus est* and discharge from the auditor of the county of *Chester*, or his deputy, in like manner as the sheriffs of the said county of *Chester* are by this act appointed to do, and not elsewhere, or in any other manner whatsoever.

The SCHEDULE or LIST in the act mentioned, viz.

A SCHEDULE of FEES to be paid for passing the patents of the several sheriffs of England and Wales.

The charge taken and received in the court of chancery on account of suing out of the patents of the several sheriffs of England and Wales, that are sued out there, for each the particulars are as followeth.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
THE King's duty for stamps	—	—	0 12 6
To the serjeant trumpeter	—	—	3 0 0
To the master of the rolls	—	—	0 8 8
Signing the docquet	—	—	0 4 0
Hanaper fee	—	—	0 15 0
The six clerks fee on the patent, writ of assistance, writ of discharge, and <i>dedimus potestatem</i>	}	8	7 0
For ingrossing the patent, writ of assistance, writ of discharge, <i>dedimus potestatem</i> , the three oaths, the docquet parchment, and attending the sealing the patent			
The recognizance and duty in a Welsh patent, more			
			0 3 6

A SCHEDULE of FEES to be paid by the sheriffs of England and Wales for passing their accounts.

FEES to be paid to the clerk of the pipe at the apposal of sheriffs.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
CAnt'	—	—	1 13 4
Cumbr'	—	—	1 13 4
Ebor'	—	—	3 0 0
Hunt'	—	—	1 6 8
Lond' and Mid'sx	—	—	2 0 0
Lincoln	—	—	2 13 4
Monmouth	—	—	1 13 4
Northumbr'	—	—	1 13 4
Rutland	—	—	1 6 8
Westmor'	—	—	1 6 8
The rest of the counties of England, each	—	—	2 0 0

FEES

F E E S to be paid to the clerk of the pipe at casting out of court, and for the quietus, and chancellor's allowance.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Ant' Hunt'	4	3	4
Cumb'	2	16	8
Ebor'	10	3	4
Leint'	4	3	4
Lond' Mid'sex	5	6	8
Monmouth	2	16	8
Northumbr'	2	16	8
Rutland	1	16	8
Westmor'	2	3	4
The rest of the counties of England, each	3	3	4

CASUAL FEES to the clerk of the pipe for the allowance of justices wages in the counties following, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Ebor'	1	0	0
Lond' Mid'sex	0	13	4
Lincoln	0	10	0
The rest of the counties of England, if any such allowance be made	0	6	8
For setting of a seizure or debt by petition or judgment of court, when it happens	0	1	0
For allowance of a record of surplusage for the first five pounds	0	6	8
For every other five pounds	0	3	4

F E E S to be paid to the clerk of the pipe for the several cities and accounting towns for their whole account, and quietus thereupon.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Civit' Bristol'	} of each	1	10
Civit' Glouc'			
Civit' Ebor'			
Vil' Novi Castri			
Civit' Cantuar'			
Civit' Coventry	} of each	1	0
Civit' Exon'			
Civit' Litch'			
Civit' Lincoln			
Civit' Norwic'			
Vil' Kingston super Hull			
Vil' Not'			
Vil' Peol			
Vil' South'ton			

FEEs to be paid to the secondaries, and others the sworn clerks in the said office, at the appraisals of sheriffs at their coming into their account, and writing their annual books, together with the vicontels of the foot or charge of their whole account.

			L.	s.	d.
B Edf ^r	_____	_____	0	6	0
Berks } each	_____	_____	0	6	0
Bucks }	_____	_____			
Cant ^r Hunt ^r	_____	_____	4	13	4
Coraub ^r	_____	_____	6	0	0
Cumbr ^r	_____	_____	3	13	4
Derb ^r	_____	_____	5	0	0
Devon ^r } each	_____	_____	6	0	0
Dorset }	_____	_____			
Essex	_____	_____	10	6	8
Ebor ^r	_____	_____	17	0	0
Glouc ^r } each	_____	_____	6	0	0
Herts }	_____	_____			
Hert ^r	_____	_____	3	6	8
Kant ^r	_____	_____	6	13	4
Lincoln	_____	_____	4	13	4
Leic ^r	_____	_____	6	13	4
Lond ^r Mid ^r sex, two sugar-loaves and	_____	_____	4	0	0
Monmouth	_____	_____	3	0	0
Norf ^r	_____	_____	6	13	4
North ^r ton	_____	_____	4	10	0
Northumb ^r	_____	_____	4	13	4
Nott ^r	_____	_____	5	10	0
Oxon ^r	_____	_____	6	0	0
Rutl ^r	_____	_____	3	6	8
Surr ^r } each	_____	_____	5	13	4
Suffex }	_____	_____			
Salop } each	_____	_____	6	0	0
Suff ^r }	_____	_____			
South ^r ton	_____	_____	7	13	4
Staff ^r	_____	_____	5	13	4
Somer ^r	_____	_____	9	6	8
Westmorl ^r	_____	_____	2	0	0
Warr ^r	_____	_____	4	16	8
Wigorn ^r	_____	_____	5	0	0
Wilts	_____	_____	3	0	0

FEEs for casting out of court, and for quietus, viz.

			L.	s.	d.
B Edf ^r	_____	_____	6	0	0
Bucks	_____	_____	5	6	8
Berks ^r	_____	_____	5	6	8
Cant ^r Hunt ^r	_____	_____	4	13	4
Coraub ^r	_____	_____	5	13	4
Cumbr ^r	_____	_____	4	13	4
Derb ^r	_____	_____	5	6	8
Devon	_____	_____	8	6	8
Dors ^r	_____	_____	6	13	4
Essex	_____	_____	11	0	0
Ebor ^r	_____	_____			

			<i>l.</i>	<i>s.</i>	<i>d.</i>
bor'	_____	_____	23	6	8
Glouc'	_____	_____	7	6	8
Ierref'	_____	_____	6	0	0
Iert'	_____	_____	6	13	4
Iant'	_____	_____	11	13	4
Lincoln	_____	_____	6	0	0
Leic'	_____	_____	8	6	8
ond' Midd'x, two sugar-loaves and	_____	_____	4	0	0
Donmouth	_____	_____	3	0	0
North'ton	_____	_____	7	6	8
North' } each	_____	_____	6	6	8
North' } each	_____	_____	4	13	4
Northumber'	_____	_____	8	6	8
Oxon'	_____	_____	2	0	0
Salut'	_____	_____	6	13	4
Salut'	_____	_____	5	16	8
Salut' } each	_____	_____	5	6	8
Salut' } each	_____	_____	6	0	0
South'ton	_____	_____	8	6	8
Womers'	_____	_____	10	0	0
Westmor'	_____	_____	2	8	4
Warr'	_____	_____	5	10	0
Wigorn'	_____	_____	7	6	8
Wilt'	_____	_____	8	13	4

FEEs of sheriffs for cities and accounting towns.

			<i>l.</i>	<i>s.</i>	<i>d.</i>
Civit' Bristol'	_____	_____	3	6	8
Civit' Cantuar'	_____	_____	2	13	4
Civit' Ebor'	_____	_____	5	0	0
Civit' Coventry	_____	_____	2	13	4
Civit' Exon'	_____	_____	1	10	0
Civit' Glouc'	_____	_____	2	13	4
Civit' Lincoln	_____	_____	2	13	4
Civit' Litch'	_____	_____	1	6	8
Civit' Norwic'	_____	_____	3	6	8
Civit' Wigorn'	_____	_____	2	0	0
Cil' Kingston super Hull	_____	_____	3	6	8
Cil' Nott'	_____	_____	2	0	0
Cil' Castrum	_____	_____	2	13	4
Cil' Pool	_____	_____	1	10	0
Cil' South'ton	_____	_____	2	0	0

Memorandum. The sheriffs of the counties palatine of Chester and Lancaster do not account before the clerk of the pipe, but before the respective auditor of those counties; but their books being writ every year, and certificates made (of what they take in charge) to the auditor, the following fees are to be taken by the clerk of the pipe, and the sworn clerk for those counties, (*viz.*)

			<i>l.</i>	<i>s.</i>	<i>d.</i>
Chester	_____	_____	2	3	4
Lancast'	_____	_____	4	6	8

FEEs

FEES to be paid to the first secondary.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR allowing the sheriffs tallies of preſer in each county	0	6	8
In each city and town	0	3	4
Making up the ſheriff's ſum, containing his whole charge	0	13	4
in York	0	13	4
Lond' Midd'ſex	0	6	8
For the reſt of the counties, each	0	1	0
Allowing a tally <i>de remanente comp^t</i> or any other tally	0	3	4
<i>de ſol^t</i> in his account, when ſuch happen			
For charging a poſt-ſcrow, which rarely happens			

To the ſecond ſecondary.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR drawing down a debt received by <i>diſtring^t</i> , or	0	3	4
levied by writ of <i>ſeri facias</i> , from either of the re-			
membrancer's office upon the ſcrow-back	0	6	8
If an extraordinary length			

To the portubag.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR ingroſſing the ſcrow of green wax of the ſheriff	1	0	0
of the county of York	1	0	0
Lond' Midd'ſex	0	10	0
The reſt of the counties of England, each	0	3	4
For the accounting towns and cities, each			

Cafual and accidental fees to the ſworn clerks in their reſpective af-
ſignments, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR a <i>conſtat</i> of a ſeizure or debt, in order to be ruled	0	4	4
of, or diſcharged	0	3	4
For ſettling of a ſeizure or debt upon a ſheriff's ac-	0	6	8
count, by petition or judgment of court, when it			
happens			
Filing the certificates of ſeized goods, and charging	0	6	8
the debts therein contained, each			

For the allowance of juſtices wages.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Y ork	2	0	0
Lond' Midd'ſex	2	0	0
Lincoln	1	0	0
The reſt of the counties of England, each	0	13	4

For ſheriffs allowances.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
E Bar'	0	13	4
Lond' Midd'ſex	3	6	8
The reſt of the counties, each	0	6	8
Record of ſurpluſage for the firſt five pounds	0	6	8
For every other five pounds	0	3	4

To the writing clerk for the business of the whole year.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
C Ant' Hunt' _____	5	0	0
Cornub' _____	6	0	0
Devon' _____	6	0	0
Ebor' _____	15	0	0
Kant' _____	7	0	0
Lincoln _____	6	10	0
Lond' Midd'fex _____	6	0	0
Monmouth _____	3	0	0
Rutland _____	1	0	0
Somers' _____	7	13	4
Suffex _____	3	10	0
Westmorl' _____	2	0	0
The rest of the counties, each _____	5	0	0
Civit' Bristol _____	1	0	0
Civit' Ebor' _____	1	0	0
Civit' Norwic' _____	1	0	0
Kington-super Hull _____	0	18	4
Novum Castrum _____	1	0	0
Vil' Pool _____	0	6	8
The rest of the cities, each _____	0	13	4
Com' Pal' Cestr' _____	0	6	8
Com' Pal' Lanc' _____	0	13	4

To be paid to the bagman of the office at the appofal of the sheriffs.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Of England, in each county, two shillings and fix pence, } _____	0	5	0
and the casting out _____	0	2	6
And for each city and accounting town _____	0	2	6

F E E S to be paid to the contrroller of the pipe.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR appofal of Lond' Midd'fex, and York, each _____	2	0	0
For appofal of Surry, Suffex, Rutland and West- } _____	0	15	0
moreland, each _____	1	7	6
For appofal of every other county _____	2	0	0
For casting out of Lond' Midd'fex, and York, each _____	0	15	0
For casting out of Surry, Suffex and Rutland, each _____	1	10	0
For casting out of every other county _____	0	5	0
For return of fummons for London, Middlefex, and York, } _____	0	2	6
each _____	0	2	6
For return of every other fummons _____	0	2	6
For petitions, which feldom happen _____	0	2	6

The FEES to be taken by the three clerks of the controller of the pipe in passing sheriffs accounts.

		Appraisals.			Calling out.		
		l. s. d.			l. s. d.		
BEdf ^r	} each	—	—	1 2 6	1 0 0		
Hert ^r		—	—	—	—		
North ^r ton	} each	—	—	1 5 0	1 5 0		
Surry		—	—	—	—		
Rutld ^r	} each	—	—	1 5 0	3 5 0		
Lond ^r , Midd ^r sex		—	—	—	—		
Cambr ^r	} each	—	—	1 12 6	1 10 0		
Heref ^r		—	—	—	—		
Leic ^r	} each	—	—	1 15 0	1 15 0		
Norff ^r		—	—	—	—		
Notr ^r	} each	—	—	1 19 2	1 16 8		
Staff ^r		—	—	—	—		
War ^r	} each	—	—	2 2 6	2 0 0		
Suffex		—	—	—	—		
Derb ^r	} each	—	—	2 9 2	2 6 8		
Oxon ^r		—	—	—	—		
Cant ^r Hunt ^r	} each	—	—	2 9 2	2 6 8		
Glos ^r		—	—	—	—		
Kant ^r	} each	—	—	3 9 2	3 6 8		
Essex		—	—	—	—		
Bucks	} each	—	—	4 16 8	4 16 8		
Monmouth		—	—	0 17 6	0 17 6		
Berks	} each	—	—	—	—		
Suffolk		—	—	—	—		
South ^r ton	} each	—	—	—	—		
Worcester		—	—	—	—		
Wilts	} each	—	—	—	—		
Salop		—	—	—	—		
Northumbr ^r	} each	—	—	—	—		
Lincoln		—	—	—	—		
Cornwall	} each	—	—	—	—		
Devon ^r		—	—	—	—		
Dorset	} each	—	—	—	—		
Somerfet		—	—	—	—		
Ebor ^r	} each	—	—	—	—		
Westmor ^r		—	—	—	—		

For return of every summons, seven shillings and six pence; except Lond^r Mid^rsex, fifteen shillings; York one pound and five shillings; and Cornwall, Devon, Dorset, Lincoln, Somerset, Suffolk, South^rton, Wilts and Salop, each seventeen shillings and six pence. For the petition of allowance, three shillings and six pence; except in London, Middlesex, and York, thirteen shillings and four pence; and in Cornwall, Devon and Somerset, six shillings and eight pence each; for every other petition, one shilling; and for the justices wages in London and Middlesex, ten shillings.

FEES

FEEs to be paid by sheriffs in the King's remembrancer's office, upon giving security when he enters into his office.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
T HE stamp duty of the recognizance	—	0	10 0
The caption fee before the baron	—	0	8 8
The King's remembrancer's fee for the same, for the counties of York and Norfolk, for each of them	}	0	13 4
To him for every other county of England, except Lancaster and Durham, and the several counties of Wales, which give no security in the Exchequer		0	10 0
To the attorney for making the recognizance, attending the baron, entering and inrolling the recognizance, making the <i>fiat</i> , and duty for the same, and filing the warrant of attorney	}	0	18 0
Upon the appofal of every sheriff upon the process returnable in Easter term to the deputy remembrancer		0	5 0
To the attorney that receives and files the writs, and attends the appofals of the sheriffs	}	0	4 4
The like upon the process returnable in Michaelmas term		0	9 4
For making the certificate when the sheriff enters upon his account of what seizures are by him made upon the process returned in that office, during his year	}	0	4 4

Treasurer's remembrancer's office in the court of Exchequer.

FEEs taken of sheriffs in the said office on passing their accounts by the remembrancer.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
U PON a baron's warrant for respiting a sheriff's appofals, or for a day over to finish his accounts	}	0	4 0
Upon the view of a sheriff's accounts in Easter and Michaelmas term		0	6 8
Upon the commission to swear a sheriff in the country to account	}	0	6 8
Upon examining and ruling a sheriff's petition of allowance for the two days granted <i>ex gratia curia</i> for finishing his account, and for filing his affidavit of felons goods.		0	12 0
Upon examining and ruling any other petition in a sheriff's account, when any such happens	}	—	3 4
Upon a record of surplufage, for the first five pounds		—	6 8
For every other five pounds	}	—	3 4
For filing any <i>Constat</i> warrant, or other <i>Exhibits</i>		—	1 —

By the sworn Clerks.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR making the view of a sheriff's account in Easter and Michaelmas term, five shillings each term, viz.	}	—	10 —
For giving a sheriff notice termly, during his year of office, of any information or plaint against him, according to the statute in that case made and provided, and for attending his appofals before the barons, and in Easter and Michaelmas terms, twenty shillings each term, viz.		2	— —

For

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For drawing any warrant to be signed by the chancellor or a baron	—	6	8
For attending a baron for his hand thereto	—	3	4
For directing a sheriff in his business during the three terms he is upon his account, ten shillings each term, viz.	1	10	—
For making the commission to swear a sheriff in the country to account pursuant to a warrant from a baron for that purpose	—	10	0
For the oath thereunto annexed	—	6	8
For a high sheriff's warrant to be sworn to account, (when he comes in person) and for attending his being sworn	1	—	—
For an under-sheriff's warrant	—	3	4
For attending and putting in a sheriff's bill of profers at the receipt of Exchequer in <i>Cro' Cl' Pasche & Cro' Sci' Mich'</i> when his year is ended, at his swearing to account	1	6	8
For entering the two days <i>ex gratia carie</i>	—	6	8
For drawing a sheriff's oath touching felens goods	—	6	8
For a copy thereof to transmit to the pipe	—	3	4
For a certificate of the execution of a process	—	6	8
For a search in order to make such certificate	—	3	4
For drawing any petition in parchment and inrolling it	—	6	—
For inrolling a sheriff's bill of allowance	—	13	4
For inrolling any schedule in <i>Onera constat</i> or warrant by the roll	—	6	8
For a record of surplusage, for the first five pounds	—	6	8
For every other five pounds	—	3	4
For copying any seizure made by a sheriff, per sheet	—	—	8
For examining and signing the same	—	3	4
For a writ of assistance and seal	—	10	—
For attending at Westminster to dismiss a sheriff the court, on finishing his account	—	6	8

By the Filazer.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
FOR entering a high sheriff's commission or warrant <i>ad computand'</i> on the scroll of accountants	—	5	—
For an under-sheriff's warrant, and any warrant <i>ad recipiend' brevia</i>	—	2	—
For the sheriff's tallies of profers	—	2	—
For entering a sheriff's writs on the bills	—	2	—
And when he comes <i>post diem</i> , and americiaments are set by the court, then for each americiament one shilling, being usually six, during his year, viz.	—	6	—

- When any plea, composition, order, or the like, happens during a sheriff's account, through his defaults or contempts, he pays the same fees that are paid by other suitors.

There have been some small fees time out of mind paid to the under-clerks, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
FOR writing a warrant or affidavit	—	—	1
On return of process twice a year, five shillings, viz.	—	10	—
or engrossing a commission, and oath annexed	—	5	—

As likewise to the Portubag, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
FOR carrying any writ to be sealed	—	—	6
For a commission	—	—	1
Sheriff pays him at each of his appofals two shillings, viz.	—	4	—
and for postage of all his business, during the time he is upon his account	—	5	—

particular of such fees as are to be paid by sheriffs in the office of remembrancer of the first-fruits and tenths in his Majesty's Exchequer.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
FOR attending the sheriff's appofals at Westminster	—	—	—
upon their returning of writs issued for arrears of first-fruits, and for filing the same in Easter term, each	—	4	4
the like for Michaelmas term	—	4	4

FEES to be received by the foreign apposer, his deputy or chief clerk, of all sheriffs of counties, cities and towns, at their appofal upon the summons of the green wax, and for making out the justices' wages when craved by the sheriff.

Counties.

	Appofal.			Justices' Wages.		
	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>
Bedford	—	—	—	3	5	0
Berks	—	—	—	3	5	0
Bucks	—	—	—	3	5	0
Cambr' Hunt'	—	—	—	3	5	0
Cornwall	—	—	—	6	5	0
Cumberland	—	—	—	3	5	0
Derby	—	—	—	3	18	4
Devon	—	—	—	7	5	0
Dorset	—	—	—	4	5	0
Essex	—	—	—	6	5	0
Gloucester	—	—	—	4	5	0
Hertford	—	—	—	3	5	0
Hertford	—	—	—	3	18	4
Kent	—	—	—	6	5	0
Leic'	—	—	—	3	5	0
Lincoln	—	—	—	6	5	0
London and Mid'sex	—	—	—	7	10	0
Monmouth	—	—	—	3	5	0
Norfolk	—	—	—	6	5	0
North'ton	—	—	—	5	5	0
Nottingham	—	—	—	3	18	4
Northumberland	—	—	—	1	15	0

Counties.	Appofal.	Justices Wages.
Oxford	3 5 0	1 12 6
Rutland	1 15 0	0 0 0
Salop	4 15 0	1 12 6
Somerfet	6 5 0	1 12 6
South'ton	3 18 4	1 12 6
Stafford	3 5 0	1 12 6
Suffolk	7 5 0	3 5 0
Surrey	3 5 0	1 12 6
Suffex	3 5 0	1 12 6
Warwick	3 5 0	1 12 6
Westmoreland	1 15 0	0 0 0
Worcefter	3 5 0	1 12 6
Wilts	5 5 0	1 12 6
York	9 5 4	3 5 0

Cities.	Appofals. l. s. d.
B ristol	0 17 6
Coventry	0 17 6
Canterbury	0 17 6
Exeter	2 12 6
Glonc'	0 17 6
Litchfield	0 15 10
Lincoln	0 15 10
Norwich	1 12 6
Worcefter	0 17 6
York	0 17 6

Towns.	Appofals. l. s. d.
K ington super Hull	0 15 10
Nottingham	0 17 6
Newcastle upon Tyne	0 17 6
Pool	0 14 2
South'ton	0 17 6

F E E S to be taken by the clerk of the extracts in his Majesty's court of Exchequer, and by the sworn clerk in that office, of all sheriffs accountable in the Exchequer, upon their appofals on the summons of the Green Wax.

	l. s. d.
T O the clerk of the extracts for Northumberland and } Westmoreland, each	0 10 0
Of London and Middlesex	1 2 0
Of the county of Rutland	0 13 4
Of every other county, each	1 0 0
Of the city of Exon	0 10 0
Of every other city and town, each	0 6 8

To the sworn clerk for writing out the summons twice every year, and attending the appofals.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Of the county of Rutland	0	9	2
Of Ebor ^e	1	16	8
Of Surrey	1	13	4
Of Westmoreland	0	16	8
Of the counties of Heref ^e , Hertf ^e , Oxon, Suff ^e and South'ton; each	1	0	0
Of every other county	1	6	8
Of the cities of Bristol, Litchfield, and town of Pool, each	0	5	10
Of the city of Exon	0	10	0
Of every other city and town, each	0	8	4
The fee due to the chancellor of the Exchequer, his secretary and clerk, for passing a sheriff's allowance, to be	0	15	0

FEES to be taken by the curfitor-baron, and his clerk, of the several sheriffs of England.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
T O the baron for swearing to their account, and signing their warrant	0	16	8
To his clerk	0	4	0
To the baron at their appofals	1	0	0
To his clerk	0	7	6
To the baron at their casting out of court	1	0	0
To his clerk	0	7	6

Sheriffs of London and Middlefex, and sheriffs of the county of York, pay double fees, and the sheriffs of Suffex, Surrey, Rutland and Westmoreland, pay half fees.

FEES certain and casual to be paid by the sheriffs to the marshals of his Majesty's court of Exchequer, granted to them by patent under the great seal without salary.

Easter Term.

A LL sheriffs of the counties of England come then to be apposed on their writs and process before the barons, and pay the said marshals (except Rutland and Yorkshire)	0	15	10
Rutland to pay half that fee, viz.	0	7	11
Yorkshire double	1	11	8

Michaelmas Term.

The same sheriffs are apposed again on the same writs and process, and to pay their fees as above.

Easter Term.

Sheriffs of the cities and towns, and deputies of the cinque ports, each of them to pay severally upon their appofals then as followeth, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
L Incoln, Canterbury, Pool, Gloucester, Wigorn, Not- tingham, Coventry, South'ton, Litchfield, and de- puty of the cinque ports	0	8	8

York, Norwich, Exon, Newcastle, Hull
Bristol city

L. s. d.
0 13 4
0 10 6

Michaelmas Term.

THE sheriffs of cities and towns above, apposed then, }
are to pay the same fees as paid in Easter term, and }
when sworn to account, are to pay no more }
Bailiffs of liberties sworn to account, are to pay each }
Bristol escheator is to pay }

L. s. d.
0 3 0
0 0 8
0 3 4

Michaelmas Term.

SHERIFFS of counties prefixed that term to be }
sworn, and to take their accounts in charge before the }
curfitor-baron, on the summons of the pipe, and be- }
fore the foreign apposer upon the green wax, viz. Ef- }
sex, Hertford, Kent, Cambr', Hunt', North'ton, Lin- }
coln, Stafford, Wigorn, Wilts, Cornub', Salop, Berks, }
and Bucks, are to pay each }
Rutland is to pay half that fee }
London and Middlesex is to pay his fees for a whole year }
London gauger then sworn in court is to pay }

L. s. d.
1 9 2
0 14 7
5 12 0
0 8 8

Hillary Term.

SHERIFFS of counties sworn and apposed before the }
curfitor-baron and foreign apposer, as in Michael- }
mas term, viz. Surrey, Suffex, Oxon, Berks, Nor- }
folk, Suffolk, Hereford, Dorset, Monmouth, Somer- }
set, Derby, Nottingham, Devon, Gloucester, War- }
wick, South'ton, and Leicester, to pay each }
York pays double }

L. s. d.
1 9 2
2 18 4

Easter Term.

SHERIFFS of Cumberland and Northumberland, then }
prefixed and apposed on the summons of the pipe }
and green wax, before the curfitor-baron and foreign }
apposer to pay each }
Westmoreland then to pay his fees for the whole year }
Lancashire for the whole year }
Cheshire for the whole year }
All sheriffs discharged by proclamation in the court, ex- }
cept York }
York is to pay }

L. s. d.
1 9 2
2 6 8
3 10 0
3 6 8
0 15 10
1 11 8

Casual F E E S.

SHERIFFS attached by order of court or warrant
Sheriffs in custody *per diem*, until discharged

L. s. d.
1 13 4
0 6 8

If the marshal rides into the country, six pence *per* mile forwards, and the same backwards, towards his charges, from the sheriff on whose account he goes.

Every sheriff that hath further time given him by order of court of warrant to pass his accounts, or to be apposed, to pay	l. s. d. 0 6 8
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The FEES to be taken by the four ushers of his Majesty's court of Exchequer.

OF every high sheriff when he enters on recognizance in the Exchequer	l. s. d. 0 8 0
Of every sheriff of a county sworn to answer upon his two apposals on the King's remembrancer, treasurer's remembrancer and first-fruits process, for each the said apposals	0 8 0
Of every sheriff of a city, &c. on each of the said two apposals	0 4 0
Of every sheriff of a county sworn to his account in court or elsewhere, and on his apposal on the pipe-process before the curfitor-baron	0 18 6
Of every sheriff of a city, &c. on the like apposal	0 4 0
Of every sheriff of a county at his casting out of court or finishing his account	0 8 0

London, Middlesex and Yorkshire to pay double.

FEES to be taken by the court-keeper of his Majesty's court of Exchequer.

OF every high sheriff when he enters on recognizance in the Exchequer	l. s. d. 0 2 0
Of every sheriff of a county-town to answer upon his two apposals on the King's remembrancer, treasurer's remembrancer and first-fruits process, for each of the said apposals	0 2 0
Of every sheriff of a city, &c. on each of the said two apposals	0 1 0
Of every sheriff of a county sworn to his account in court or elsewhere, and on his apposal upon the pipe-process before the curfitor-baron	0 3 0
Of every sheriff of a city, &c. on the like apposal	0 1 0
Of every sheriff of a county upon his apposal on the summons of green wax before the foreign apposer and clerk of the estreats	0 2 0
If apposed out of term	0 2 6
Of every sheriff of a city, &c. on the like apposal	0 1 0
Of every sheriff of a county, &c. on his casting out of court, or finishing his accounts	0 2 0

London, Middlesex and York are to pay double.

F E E S to be received by the messenger of the said court, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
O F every sheriff of a county sworn to answer upon his two appofals on the King's remembrancer, treasurer's remembrancer and first-fruits process, for each of the said appofals	0	6	8
Of every sheriff of a city for each of the said two appofals	0	3	4

London Middlesex and York to pay double.

F E E S to be received by the tipstaff in the said court.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
O F every high sheriff when he enters on recognizance in the Exchequer	0	2	0
Of every sheriff of a county sworn to answer upon his two appofals upon the King's remembrancer, treasurer's remembrancer and first-fruits process, for each of the said appofals	0	2	0
Of every sheriff of a city, &c. sworn to answer the like appofals	0	1	0
Of every sheriff of a county sworn to his account in court or elsewhere, and on his appofal on the pipe-process before the curfitor-baron	0	3	0
Of every sheriff of a city, &c. on his appofal on the pipe-process before the curfitor-baron	0	1	0
Of every sheriff of a county at his casting out of court, and finishing his account	0	2	0

London Middlesex and York to pay double.

F E E S and allowances to be paid to the auditors of the Exchequer, for making up and passing the under-mentioned sheriffs accounts, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR inrolling a sheriff's patent, filing the several certificates, drawing and ingrossing the account, and for the <i>Quietus</i> of the sheriffs of Cheshire and Lancashire, the fees for each county to be	20	0	0
For the county palatine of Durham, according to ancient custom	9	6	8
For casting out of sheriffs in open court, except London and Middlesex, York, and Lincoln, each county	9	10	0
For London Middlesex, York, and Lincoln, each county	1	0	0

F E E S to be paid by the sheriffs of Wales to the auditor of Wales and Cheshire, for the several sheriffs of Wales.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
F OR every old seizure charged in the sheriff's account	0	1	0
For every new seizure charged in the sheriff's account	0	2	0
For inrolling a sheriff's patent, filing the several certificates, drawing and ingrossing the account, and for the <i>Quietus est</i> , for each county	8	18	4

The

The FEES due to the receiver of North and South Wales.

FROM every sheriff upon passing his accounts at the
audit for the signing his accounts and entering in
the revenue-book } ^{l. s. d.} 2 13 4

For the sheriffs of Cheshire.

FOR inrolling the sheriff's patent, filing the several
certificates, drawing and ingrossing the account, and
for the *Quietus est* } ^{l. s. d.} 20 0 0

CAP. XVI.

*An act for the better enabling sheriffs to sue out their patents
and pass their accounts.*

WHEREAS it is not reasonable that the sheriffs of this kingdom, who are obliged to take upon them that troublesome and expensive office for the service of their country, should pay those large fees that are demanded of them, and of right belong to the officers and clerks of the chancery, Exchequer and pipe, for passing their patents and accounts and obtaining their *Quietus's*: and whereas it would be unreasonable to take their due fees from the officers and clerks, or to expect that they should do the duty of their respective offices without a reasonable reward for their labour: and whereas the whole expence of passing the patents and the accounts of the several sheriffs herein after mentioned amounts to four thousand pounds: therefore, to the end that the sheriffs may be eased and justice done to the said officers and clerks, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and of the commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of September in the year of our Lord one thousand seven hundred and seventeen, the yearly sum of four thousand pounds shall be set apart at the receipt of the Exchequer, out of such fund as by any act of this session of parliament shall be charged with the said yearly sum, and in such manner as shall be thereby appointed, for the uses and purposes hereafter mentioned.

After Sept. 29,
1717. the yearly
sum of
4000l. shall be
set apart in the
Exchequer.

II. And be it further enacted by the authority aforesaid, That there shall be yearly and every year paid out of the monies which shall, from time to time, be so set apart, upon the first day of *Michellmas-Term*, to the several sheriffs for the time being, of the several counties herein after mentioned, the several and respective sums herein after expressed, to enable them respectively to bear the expences of the respective letters patents for their offices, and to pass their respective accounts, and to obtain their respective *Quietus's*: the said yearly sums to be received without any account or imprest whatsoever to be set upon them, or any

Out of the
monies so set
apart the sums
hereafter ex-
pressed shall
be paid to the
several sheriffs,
for the ex-
pences of their
patents, &c.

of them, and without paying any fees or charges for the same, or any part thereof: that is to say,

- T**O the respective sheriffs which shall be appointed for the county of *Bedford*, ninety three pounds and six shillings.
 For the county of *Berk*, ninety six pounds.
 For the county of *Bucks*, ninety six pounds.
 For the counties of *Cambridge* and *Huntington*, ninety five pounds and ten shillings.
 For the county of *Cheshire*, sixty two pounds and ten shillings.
 For the county of *Cornwall*, one hundred and two pounds and sixteen shillings,
 For the county of *Cumberland*, ninety pounds and two shillings.
 For the county of *Derby*, ninety three pounds and nineteen shillings.
 For the county of *Devon*, one hundred and six pounds nine shillings.
 For the county of *Dorset*, one hundred and one pounds six shillings.
 For the county of *Essex*, one hundred and eight pounds ten shillings.
 For the county of *Gloucester*, ninety eight pounds and ten shillings.
 For the county of *Hereford*, ninety four pounds and six shillings.
 For the county of *Hertford*, ninety three pounds.
 For the county of *Kent*, one hundred and eight pounds ten shillings.
 For the county of *Lancaster*, sixty seven pounds and seven shillings.
 For the county of *Leicester*, ninety four pounds and six shillings.
 For the county of *Lincoln*, one hundred and one pounds three shillings.
 For the county of *Middlesex*, one hundred and nineteen pounds three shillings.
 For the county of *Monmouth*, eighty nine pounds and three shillings.
 For the county of *Norfolk*, one hundred and one pounds fifteen shillings.
 For the county of *Northampton*, ninety six pounds.
 For the county of *Northumberland*, ninety one pounds.
 For the county of *Nottingham*, ninety five pounds and thirteen shillings.
 For the county of *Oxon*, ninety seven pounds and seven shillings.
 For the county of *Rutland*, sixty nine pounds and eleven shillings.
 For the county of *Salop*, ninety eight pounds and three shillings.
 For the county of *Somerset*, one hundred and twelve pounds and nineteen shillings.

For

or the county of *Southampton*, one hundred and one pounds three shillings.

or the county of *Stafford*, ninety five pounds and ten shillings.

or the county of *Suffolk*, one hundred and two pounds twelve shillings.

or the county of *Surrey*, ninety pounds and two shillings.

or the county of *Suffex*, ninety pounds and five shillings.

or the county of *Warwick*, ninety three pounds and ten shillings.

or the county of *Wills*, one hundred and four pounds ten shillings.

or the county of *Worcester*, ninety eight pounds and three shillings.

or the county of *York*, one hundred and fifty pounds.

or the county of *Anglesey*, thirty pounds.

or the county of *Brecon*, thirty pounds.

or the county of *Cardigan*, thirty pounds.

or the county of *Carmarthen*, thirty pounds.

or the county of *Carnarvon*, thirty pounds.

or the county of *Denbigh*, thirty pounds.

or the county of *Flint*, thirty pounds.

or the county of *Glamorgan*, thirty pounds.

or the county of *Merioneth*, thirty pounds.

or the county of *Montgomery*, thirty pounds.

or the county of *Pembroke*, thirty pounds.

or the county of *Radnor*, thirty pounds.

And to the sheriff of *Westmoreland* for the time being, forty pounds six shillings.

C A P. XVII.

An act to enable his Majesty to appoint commissioners to take, examine, state and determine the debts due to the army. E X P.

C A P. XVIII.

An act for explaining an act passed the last session of parliament, intituled, An act to oblige papists to register their names and real estates; and for enlarging the time of such registering; and for securing purchases made by protestants.

WHEREAS by an act made in this present parliament, intituled, An act to oblige papists to register their names and real estates, it is enacted, That all and every person and persons not having taken the oaths therein mentioned before the last day of Trinity-Term in the year of our Lord one thousand seven hundred and sixteen, having any estate or interest in any lands, tenements or hereditaments, or who should thereafter have any estate or interest in any lands, tenements or hereditaments lying, being or arising in that part of Great Britain called England, or in Wales, or the town of Berwick upon Tweed, who was or should be a popish recusant, or papist, or was or should be educated in the popish religion, or whose parent

1 Geo. 1. stat.

2. c. 55.

3 Geo. 2. c. 29.

parent or parents should be a papist or papists, or who should use or profess the popish religion, should take the oaths and repeat and subscribe the declaration therein mentioned, at such times and in such manner as is therein expressed, or in default thereof should, within the space of six months next after the time thereby appointed for him, her or them to take the said oaths, register or procure to be registered his, her or their name or names, and all such lands, tenements and hereditaments whereof he, she or they, or any trustee or trustees for him, her or them, or his, her or their benefit or advantage, should be in the possession or in receipt or perception of the profits, in such manner and form as is therein expressed, upon pain that the person and persons wilfully neglecting or refusing so to do, or committing any fraud in such registry, should forfeit the fee-simple and inheritance of all such lands, tenements and hereditaments not registered or fraudulently registered, whereof he, she or they, or any person or persons in trust for him, her or them, was or were seized in fee-simple at the time of such default or fraud in registering as aforesaid, and the full value of the inheritance of all such lands, tenements and hereditaments not registered or fraudulently registered as aforesaid, whereof he, she or they, or any person or persons in trust for him, her or them, was not or were not seized in fee-simple at the time of such default or fraud as aforesaid, two third parts whereof to the King, and the other third part thereof to such person or persons, being a protestant or protestants, as should sue for the same at the common law in any of his Majesty's courts at Westminster or in the high court of chancery, as by the said act more fully appears: for the amending and explaining the said act, and giving a further time to papists to register their names and real estates; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the time for such registering be enlarged, and the same is hereby enlarged to the twentieth day of October one thousand seven hundred and seventeen.

The time for papists to register their names and real estates enlarged to Oct. 20, 1717.

No suit for frauds in registering shall be commenced after two years.

Where manors, &c. lie in more counties than one, they shall be registered in the county only where the manor house stands.

II. And be it further enacted by the authority aforesaid, That no action or suit for any penalty or forfeiture contained in this or the said former act, for wilfully neglecting or refusing to register, or for committing fraud in such registry, shall be commenced or brought after two years after the offence committed, against any person offending therein.

III. And be it further enacted by the authority aforesaid, That where it shall happen that any manors or reputed manors, demesne or other lands, or entire farms, do lie in more counties than one, the registering of such manors, lands, tenements and hereditaments in the county only where the manor house or the house or houses to the said farm or lands do lie, and not in several counties, taking notice thereof in the said registry that the same do extend to such other county or counties, shall be a sufficient registering of such entire manors, farms or lands within the true intent and meaning of the said recited act.

IV. And

IV. And whereas some doubts have arisen, as well upon the said recited act, as also upon one other act made and passed in the parliament held in the eleventh and twelfth years of the reign of the late King William the Third, intituled, An act for the further preventing the growth of popery; and upon another act made in the first year of the reign of the late King James the First, for the due execution of the statutes against jesuits, seminary priests, recusants, and other acts made against papists and popish recusants, touching the sale of the real estates of persons professing the popish religion, or incurring the disabilities and incapacities in the said acts mentioned: be it enacted by the authority aforesaid, That no sale for a full and valuable consideration of any manors, messuages, lands, tenements, or hereditaments, or of any interest therein, by any person or persons being reputed owner or owners, or in the possession or receipt of the rents and profits thereof, heretofore made or hereafter to be made, to and for any protestant purchaser and purchasers, and merely and only for the benefit of protestants, shall be avoided or impeached for or by reason or upon pretence of any of the disabilities or incapacities in the said acts or any of them contained, incurred or supposed to be incurred by any of the persons making or joining in such sale, or by any other person or persons from or through whom the title to such manors, messuages, lands, tenements or hereditaments, or any interest therein, is or shall be derived or supposed to be derived, unless before such sale the person entitled to take advantage of such disability or incapacity shall have recovered such manors, messuages, lands, tenements and hereditaments, or given notice of his claim and title thereto to such purchaser, or before the contract for such sale shall have claimed the said manors, messuages, lands, tenements and hereditaments by reason of such disability or incapacity, and have entered such claim in open court at the general session of the peace for the county, city, riding or division wherein such manors, messuages, lands, tenements or hereditaments lie or arise, and bona fide and with due diligence pursued his remedy in a proper course of justice for the recovery thereof: the said several acts above mentioned and referred to, or any thing therein contained to the contrary notwithstanding.

No sale for a full consideration of any manors, &c. by the reputed owner, &c. made or to be made to any protestant, shall be avoided on pretence of the disabilities in the recited acts.

Unless such manors, &c. were recovered before the sale, or notice of the claim given to the purchaser, or the claim entered at the quarter-sessions.

V. Provided nevertheless, That whereas it was, amongst other things, enacted by the said act of parliament made in the eleventh and twelfth years of the reign of the late King William the Third, That from and after the tenth day of April which should be in the year of our Lord one thousand seven hundred, every papist or person making profession of the popish religion should be disabled, and was thereby made incapable to purchase either in his or her own name, or in the name of any other person or persons, to his or her use, or in trust for him or her, any manors, lands, profits out of lands, tenements, rents, terms or hereditaments within the kingdom of England, dominion of Wales and town of Berwick upon Tweed; and that all and singular estates, terms and any other interests or profits whatsoever out of lands, from and after the said tenth day of April to be made, suffered

The clause in 11 & 12 W. 3. c. 4. whereby papists are disabled from purchasing any manors, &c. shall not be hereby altered or repealed.

11 & 12 W. 3. c. 4. *Or done, to or for the use or behoof of any such person or persons, or upon any trust or confidence mediately or immediately, to or for the benefit or relief of any such person or persons, should be utterly void and of no effect, to all intents, constructions and purposes whatsoever: it is hereby declared and enacted, That the said recited part of the said act of parliament shall not be hereby altered or repealed, but the same shall be and remain in full force, as if this act had never been made.*

After Sept. 29. 1717, no manors, lands, &c. shall pass from papists by deed or will, unless inrolled in six months. By 10 Geo. 1. c. 4. sect. 19. *Provision is made for deeds, &c. not inrolled since Sept. 20. 1717, if inrolled on 29 Sept. 1724.*

VI. And be it further enacted by the authority aforesaid, That from and after the nine and twentieth day of September in the year of our Lord one thousand seven hundred and seventeen no manors, lands, tenements, hereditaments or any interest therein, or rent or profit thereout, shall pass, alter or change from any papist or person professing the popish religion, by any deed or will, except such deed within six months after the date, and such will within six months after the death of the testator, be inrolled in one of the King's courts of record at Westminster, or else within the same county or counties wherein the manors, lands and tenements lie, by the *Custos Rotulorum* and two justices of the peace, and the clerk of the peace of the same county or counties, or two of them at the least, whereof the clerk of the peace to be one. *Such deeds, &c. are good, if inrolled on 29 September 1731.* 3 Geo. 2. c. 29. sect. 6.

CAP. XIX.

An act for the King's most gracious, general and free pardon.

CAP. XX.

An act to enlarge the time for making claims before the commissioners appointed to enquire of the forfeited estates. EXP.

CAP. XXI.

An act for continuing the liberty of exporting Irish linen cloth to the British plantations in America duty free; and for the more effectual discovery of and prosecuting such as shall unlawfully export wool and woollen manufactures from Ireland; and for relief of John Fletcher in respect of the duty by him paid for a quantity of salt lost in the exportation for Ireland.

3 & 4 Ann. c. 8.

WHEREAS by an act passed in the third and fourth years of the reign of her late majesty Queen Anne, intituled, An act to permit the exportation of Irish linen cloth to the plantations, and to prohibit the importation of Scots linen into Ireland; it was enacted for the support of the protestant interest in Ireland, and for the encouragement of the linen manufacture of that kingdom, That it should and might be lawful to export from Ireland directly to the British plantations, all sorts of white and brown linen cloths, being the proper manufacture of the said kingdom, under certain restrictions and conditions in the said act mentioned, for the term of eleven years; which act hath been since continued for one year and to the end of this present session of parliament, by an act passed in the first

first year of the reign of his present majesty King George, intituled, Continued by
 An act for continuing several laws therein mentioned relating ^{1 Geo. 1. stat.}
 to coals, hemp and flax, *Irish* and *Scots* linen, and the assize of ^{2. c. 26.}
 bread, and for giving power to adjourn the quarter sessions for
 the county of *Anglesea*, for the purposes therein mentioned: and
whereas it hath been found by experience, That the continuance of the
said act is and may be beneficial to both the kingdoms of Great Bri-
tain and Ireland: be it therefore enacted by the King's most ex-
 cellent majesty, by and with the advice and consent of the lords
 spiritual and temporal and commons, in parliament assembled,
 and by the authority of the same, That the said recited act of
 the third and fourth years of *Queen Anne*, so far forth as the
 same relates to the exportation of *Irish* linen cloths to the *Brit-*
ish plantations, shall be and the same is hereby continued in
 full force so long as the merchants and other persons of *Great*
Britain are or shall be permitted to import into *Ireland*, free of
 all duties, such white and brown *British* linen cloth as is or shall
 be made and manufactured in *Great Britain*.

The act 3 & 4
 Ann. c. 8. so
 far as it re-
 lates to the
 exportation of
 Irish linen to
 the planta-
 tions, shall
 continue in
 force so long
 as *British* linen
 may be im-
 ported to *Ire-*
land duty-
 free.

II. *And whereas some doubt has arisen, whether linens imported*
into this kingdom from Ireland, and not subject to pay any duties up-
on the said importation, should, upon being exported again for any of
the British plantations in America, become liable to pay a duty ad
Valorem: be it declared and enacted, That all linens made in
Ireland and imported from thence into this kingdom may, from
 and after the twenty fourth day of *June* one thousand seven
 hundred and seventeen, be shipped off again and exported for
 any of his Majesty's plantations in *America* without being liable
 or subject to pay any duty whatsoever.

After June 24,
 1717, Irish
 linen imported
 into this king-
 dom may be
 exported to
 the planta-
 tions without
 paying any
 duty.

III. *And whereas by an act passed in the fourth and fifth years in*
the reign of her late majesty Queen Anne, it was enacted, That
where any salt or rock salt should be shipped in order for exportation
to Ireland, and the same should perish by sinking of the ship or vessel
on which the same should be shipped or laid on board, or should be
taken by the enemies, then and in such case the exporter or proprietor
of such salt or rock salt so perishing or lost should, upon proof made
before the justices of the peace at the general quarter sessions of the
peace to be held for the place from whence the same was so exported,
of the loss of such salt, receive from the sessions a certificate that such
proof was made before them; and upon producing the said certificate
to the officer of the place where the duty on such salt should have been
paid or secured to be paid, such security should be discharged, and so
much money as was actually paid for the duty of the said salt, should
be repaid upon demand, provided such proof be made within six
months after such loss or taking as aforesaid: and whereas John
Fletcher did on or about the tenth day of November one thousand
seven hundred and twelve put on board the ship called the Salmon of
Belfast one thousand and forty bushels of white salt for Belfast in
Ireland, and in the said voyage the said ship and cargo and all the
crew, except one man and a boy, were lost in a violent storm, and the
exporter having no notice thereof in due time, could not make proof of
the loss of the said salt within the time limited by the said act of the
fourth

4 Ann. c. 12.
 Clause for the
 relief of John
 Fletcher, and
 for discharg-
 ing his securi-
 ty.

fourth and fifth of her late Majesty's reign: be it therefore enacted by the authority aforesaid, That on proof made by the oath of two or more credible witnesses on or before the twenty fifth day of December one thousand seven hundred and seventeen, as the said act directs, and upon producing a certificate to the officer of the place where the duty on such salt shall have been paid or secured, such security shall be discharged, and so much money as was paid for the same shall be repaid by the said officer without fee or reward.

After Sept.

29, 1717. One moiety of the penalties inflicted by 10 & 11 W. 3. c. 10. to prevent the exportation of wool, &c. from Ireland, other than into England or Wales, shall be to the crown.

IV. *And whereas by an act made in the tenth and eleventh years of the reign of his late majesty King William the Third, intituled, An act to prevent the exportation of wool out of the kingdoms of Ireland and England into foreign parts, and for the encouragement of the woollen manufactures in the kingdom of England, one moiety of the penalties and forfeitures thereby inflicted for preventing the exportation of wool and other woollen goods therein mentioned out of the said kingdom of Ireland, other than into the kingdom of England or the dominion of Wales, is given to the encouragement of setting up the linen manufactures in Ireland, to be disposed of by the court of Exchequer there for that use only; which disposition of the said moiety has been found of very little advantage to the said linen manufactures, but has tended very much to the discouragement of prosecutions made in pursuance of the said act: for the more effectually putting the said act in execution, be it therefore further enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and seventeen the said moiety of all such penalties and forfeitures (after a deduction made out of the said moiety of the charges of prosecution and condemnation) shall be to the use of his Majesty, his heirs and successors.*

After the said 29th of Sept. actions commenced in Ireland relating to the exportation of wool, &c. shall be tried by a jury of any other county than where the fact was committed. The first three discoverers exempted from punishment.

V. *And for the better and more impartial trials of all such actions and informations which shall be commenced or prosecuted by virtue of any act now in being made for the preventing the unlawful exportation of wool or woollen manufactures from the kingdom of Ireland: be it enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and seventeen such actions and informations shall be tried in any of his Majesty's four courts at Dublin, by a jury of good and lawful freholders to be summoned out of any other county than that wherein the fact shall be committed: and to encourage persons to discover the said crime, the first three persons who have been aiding, abetting or assisting in carrying out or exporting of wool or any other of the commodities as aforesaid, that shall inform thereof any of his Majesty's justices of the peace, whereby the punishment and penalties appointed by this act may be inflicted and recovered, the party or parties so discovering (not being owner or part-owners of the said wool or other commodities aforesaid) shall not suffer any of the said penalties or punishment to be inflicted by this or any other act.*

Anno Regni-GEORGII I. Regis Magnæ Britanniae, Franciæ, & Hiberniæ, quarto.

AT the parliament begun and bolden at Westminster, the seventeenth day of March, Anno Domini one thousand seven hundred and fourteen, in the first year of the reign of our Sovereign Lord GEORGE, by the Grace of God, of Great Britain, France and Ireland, King, defender of the faith, &c. And from thence continued by several adjournments and prorogations to the twenty-first day of November one thousand seven hundred and seventeen; being the third session of this present parliament.

CAP. I.

An act for granting an aid to his Majesty by a land-tax to be raised in Great-Britain, for the service of the year one thousand seven hundred and eighteen. 3s. in the pound. EXP.

CAP. II.

An act to enable his Majesty to be governor of the South Sea company. EXP.

CAP. III.

An act for continuing the duties on malt, mum, cyder and perry, for the service of the year one thousand seven hundred and eighteen; and for making forth duplicates of Exchequer-bills, lottery-tickets and orders lost, burnt or destroyed; and for appropriating the supplies granted in this session of parliament.

VIII. **A**ND be it further enacted by the authority aforesaid, Cyder or person or persons who shall have actually paid his Majesty's duties paid the duties by this act payable for any cyder or perry made in Great Britain, exported on and to or for any other person or persons who shall buy or be security not to lawfully entitled to any such cyder or perry, for or in respect be reloaded. whereof the said duties to his said Majesty hereby granted have been duly paid, to export such cyder and perry for any foreign parts by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantity of cyder or perry which shall be intended to be exported as aforesaid, and every part thereof, shall be shipped and exported, and that the same or any part thereof shall not be reloaded or brought again into any part or parts of Great Britain; which security the customer or collector of the respective port from whence such exportation is to be (without any fee or reward) is hereby directed and authorized to take in his Majesty's name and to his Majesty's use.

Relanded, forfeited, and the bond.

IX. Provided always, That if after the shipping of any such cyder or perry to be exported as aforesaid, and the giving or tendering such security as aforesaid, in order to obtain the allowance or drawback herein after mentioned, the cyder or perry so shipped to be exported, or any part thereof, shall be relanded in any part of *Great Britain*, That then and in every such case, over and above the penalty of the bond, which shall be levied and recovered to his Majesty's use, all the cyder and perry which shall be so relanded, or the value thereof, shall be forfeited.

On certificate that the duties have been paid, &c. collector to give a debenture thereof,

X. And be it further enacted by the authority aforesaid, That if any person or persons who shall export any cyder or perry into foreign parts by way of merchandize, shall produce a certificate or certificates from the collector or officer who received the duty of such cyder or perry, that the duty imposed thereon by this act hath been paid (which certificate the collector or officer is hereby required to give *gratis*) and making oath before the officer or collector of the port where the same shall be so exported, that the cyder or perry so exported is the same as is mentioned in such certificate, then the collector or chief officers of the port where such cyder or perry shall be exported, shall give to the exporter thereof a certificate or debenture expressing the true quantity of the cyder or perry so exported or shipped for exportation; which certificate or debenture being produced to the collector or other officer appointed to receive the said duty in the county, shire, stuartry or place where such cyder or perry was exported, he is hereby required to pay the said duty of four shillings *per* hoghead to the persons or their agents so exporting the same; and in case the collector or other officer shall not have any money in their hands arising by the said duties on cyder and perry to pay the same, then the respective commissioners appointed for executing this act are hereby required to pay the same out of the duties arising by the said act; any thing in this act contained to the contrary notwithstanding.

and the duty to be repaid to the exporter.

XI. And whereas divers dealers in cyder and perry, and persons receiving into their custody great quantities of cyder and perry sent or brought to them from distant or remote places, have frequently refused to permit the officers of and for his Majesty's duties of excise to enter and go into the cellars, storehouses and places to them belonging, or by them used for the laying or keeping of such cyder and perry, and to gauge and take accounts thereof for the ascertaining and charging the duties on such cyder and perry imposed thereon by several acts heretofore made for continuing the duties on malt, mum, cyder and perry, whereby his Majesty hath been defrauded in the said duties granted by such acts heretofore made; and whereas upon such occasions such dealers in cyder and perry and such other persons have insisted, That such cyder and perry sent to or received by them ought not to be surveyed, gauged or taken notice of by such officer or officers of excise, unless proof be made or produced of the respective times and places when and where such cyder and perry were bought; and whereas the producing such

such proof is altogether impracticable to be made by the officer for the aid duties, especially in cases and instances where such cyder and perry have been brought from remote places: be it therefore enacted and declared by the authority aforesaid, That every such dealer in cyder or perry, and person or persons as aforesaid so receiving into his, her or their custody or custodies such cyder and perry, or either of them, shall be chargeable and hereby is, and shall be charged with the duties upon cyder and perry by his act granted and imposed, unless they respectively do and shall make it appear, either that such cyder and perry was made of and from fruit of his, her or their own growth, and not of or from bought fruit, or that the duties on cyder and perry hereby granted were and have been duly charged or duly paid, or or in respect of such cyder and perry; and if any such dealer or dealers in cyder and perry or in either of them, or such person or persons as aforesaid, upon due request or demand made by any officer or officers of excise in the day-time, shall refuse to permit or shall not permit such officer or officers to enter and go into all and every such cellars, store-houses or other place or places belonging to or used by such dealer or dealers, person or persons as aforesaid, and by gauging or otherwise to take account and accounts of all cyder and perry, or of either of them, from time to time there found, every such dealer and dealers in cyder and perry or either of them, and every such person or persons as aforesaid, shall for every such offence forfeit and lose the sum of twenty pounds.

Dealers in cyder or perry chargeable, unless they make it appear that the cyder, &c. was made of fruit of their own growth, or that the duty has been paid, refusing admittance to officers forfeits so l.

XII. And be it further enacted by the authority aforesaid, That all fines, penalties and forfeitures by this act imposed shall be sued for, levied, recovered or mitigated by such ways, means and methods, as any fine, penalty or forfeiture is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint or information in any of his Majesty's courts of record at *Westminster*, or in the court of session, court of justiciary or court of Exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty and forfeiture shall be to his Majesty, his heirs and successors, and the other moiety to him or them that shall discover, inform or sue or the same.

Fines, &c. how to be sued for. &c.

Cause for making forth duplicates of Exchequer-bills, lottery-tickets and orders lost, burnt or destroyed. E X P.

XIV. And be it enacted by the authority aforesaid, That all the monies lent and to be lent to his Majesty upon one act of his session of parliament, intituled, *An act for granting an aid to his Majesty by a land-tax to be raised in Great Britain, for the service of the year one thousand seven hundred and eighteen*; and so much money (if any such be) of the tax thereby granted as shall arise and remain after all the loans made or to be made on that act and the interest thereof, and the charges thereby allowable for raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent

Appropriation of the money granted this session of parliament.

and to be lent to his Majesty upon this present act, except so much thereof as is to be applied to the satisfaction of the principal and interest of the unsatisfied loans upon the said former act for the duties on malt, mum, cyder and perry; and so much of the duties on malt, mum, cyder and perry by this act granted or continued, as shall arise and remain (if any such be) after all the loans made and to be made on this act, or hereby directed to be discharged, and the interest thereof, and the charges by this act allowable for raising the same duties, shall be satisfied, or monies sufficient shall be reserved to discharge the same, shall be appropriated and applied and are hereby appropriated for or towards the several uses, intents and purposes herein expressed, subject nevertheless to such restrictions as are herein after prescribed; that is to say, it is hereby enacted and declared, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued or applied any sum or sums of money, not exceeding in the whole the sum of seven hundred forty-four thousand eight hundred fifty-seven pounds fourteen shillings and eleven pence, for or towards the naval services following; that is to say, For or towards defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea-officers, and for or towards victual, wages, wear and tear of the navy and victualling thereof, performed and to be performed; and for or towards sea-service in the office of ordnance performed and to be performed, and other services of the navy performed and to be performed; and any further sum or sums of money, not exceeding one hundred sixty-five thousand three hundred and seventeen pounds, for or towards repairs of his Majesty's navy performed and to be performed; and any sum or sums of money, not exceeding seventy-three thousand three hundred twenty-seven pounds twelve shillings and eleven pence, for the charge of the office of ordnance, for or towards land-services performed and to be performed; and any sum or sums of money, not exceeding in the whole the sum of nine hundred and nineteen thousand seven hundred thirty-one pounds fourteen shillings and eight pence half-penny, for or towards maintaining his Majesty's land-forces and other services herein after expressed; that is to say, any sum not exceeding six hundred and fifty thousand pounds, for defraying the charge of sixteen thousand three hundred forty-seven men for guards and garrisons, and other his Majesty's land-forces in *Great Britain, Jersey and Guernsey*, and other services relating to the forces for the year one thousand seven hundred and eighteen; and any sum not exceeding thirty-five thousand seven hundred sixty-six pounds and five shillings, for or towards maintaining his Majesty's forces and garrisons in the plantations in *America* for the year one thousand seven hundred and eighteen; and any sum not exceeding one thousand five hundred fifty-eight pounds seventeen shillings and one penny, for provisions for the garrisons at *Placentia* and *Annapolis* for the year one thousand seven hundred and eighteen; and any sum not exceeding

two thousand eight hundred fifty-eight pounds thirteen shillings and ten pence, for ordnance stores and provisions for the independent company in the islands of *Bahama* and *Providence* in the year one thousand seven hundred and eighteen; and any sum not exceeding fifty-seven thousand six hundred thirteen pounds fourteen shillings and seven pence, for maintaining his Majesty's forces and garrisons in *Minorca* for the year one thousand seven hundred and eighteen; and any sum not exceeding thirty-nine thousand three hundred eighty-two pounds fourteen shillings and nine pence half-penny, for or towards maintaining his Majesty's forces and garrisons in *Gibraltar* for the year one thousand seven hundred and eighteen; and any sum not exceeding thirteen thousand five hundred fifty-one pounds nine shillings and five pence, for provisions for his Majesty's garrison in *Gibraltar* for the year one thousand seven hundred and eighteen; and any sum not exceeding twenty-five thousand pounds, for the extraordinary charge of the royal hospital at *Chelsea* and the out-pensioners for the year one thousand seven hundred and eighteen, over and above the poundage and days pay; and any sum or sums not exceeding ninety-four thousand pounds upon account of half-pay, for the year one thousand seven hundred and eighteen, to be paid to the reduced officers of his Majesty's land-forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as are herein after prescribed in that behalf.

XV. And it is hereby enacted, That out of all or any the aids or supplies provided as aforesaid there shall and may be issued and applied any sum not exceeding five hundred eighty-one thousand one hundred ninety-six pounds eight shillings, to make good the deficiencies of the grants in parliament for the year one thousand seven hundred and seventeen; and any sum not exceeding twenty-nine thousand six hundred forty-five pounds eight shillings and nine pence farthing, for or towards enabling the treasurer of the navy to make good the payments which in the half year, to end on the twenty-fourth day of *June* one thousand seven hundred and eighteen (if any) may be demanded of him pursuant to any former act or acts of parliament for completing the funds of six hundred and eight thousand pounds *per annum*, payable to the *South-Sea* company; and that the said aids or supplies provided as aforesaid shall not be issued or applied to any use, intent or purpose whatsoever, other than towards the uses and purposes aforementioned.

XVI. Provided always, and it is hereby enacted and declared, That no appropriation or other matter or thing in this act contained shall obstruct or hinder any payment or payments which by and in pursuance of an act made in the first year of his Majesty's reign, intituled, *An act for enlarging the capital stock and yearly fund of the South-Sea company, and for supplying thereby eight hundred twenty-two thousand and thirty-two pounds four shillings and eight pence to publick uses; and for raising one hundred sixty-nine thousand pounds for the like uses, by sale of annuities,*

581,196 l. 8 s.
to make good
deficiencies for
the year 1717.

29,645 l. 8 s.
9 d. 1 q. for
the treasurer
of the navy;

Proviso for
the South Sea
company,
1 Geo. I. c. 21.

upon divers encouragements therein mentioned; and for appropriating several supplies granted to his Majesty, are or shall be required and authorized to be made by the treasurer or pay-master of the navy for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to be incurred on or before the twenty-fourth day of June one thousand seven hundred and eighteen to the governor and company of merchants of *Great Britain* trading to the *South-Seas* and other parts of *America* and for encouraging the fishery, or to their treasurer for their use; any thing herein contained to the contrary notwithstanding.

And for the commissioners of the army accounts and equivalent.

XVII. Provided also, That such sums as by or in pursuance of any other act of parliament are or shall be due or payable to any commissioners for taking, examining, stating and determining the debts due to the army, or to any commissioners for stating the debts due and to grow due to *Scotland* by way of equivalent, for their salaries, or for their clerks or other incident charges, shall or may be paid out of the aids or supplies aforesaid, or any of them; any thing herein contained to the contrary notwithstanding.

XVIII. And as to the said sum not exceeding ninety-four thousand pounds by this act appropriated upon account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application thereof; that is to say,

Rules to be observed in the application of the half-pay.

1. That no person shall have or receive any part of the same, who was a minor under the age of sixteen years at the time when the regiment, troop or company in which he served was reduced.

2. That no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company.

3. That no person having any other place or employment of profit, civil or military, under his Majesty, shall have or receive any part of the said half-pay.

4. That no chaplain of any garrison or regiment, who has any ecclesiastical benefice or other preferment in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay.

5. That no person shall have or receive any part of the same, who hath resigned his commission, and has had no commission since.

6. That no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise entitled to the same as reduced officers.

7. And that no part of the same shall be allowed to any of the officers of the five regiments of dragoons and eight regiments

ments of foot lately disbanded in *Ireland*; except to such as were taken off the establishment of half-pay in *Great Britain*.

CAP. IV.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters. E X P.

CAP. V.

An act for finishing the tower of the parish church of St. Michael Cornhill, London; out of the duties arising pursuant to the act of the ninth year of the late Queen, for building fifty new churches in and about the cities of London and Westminster and the suburbs thereof.

The tower of St. Michael Cornhill shall be finished according to the model by which it is begun. For which purposes the commissioners shall issue 6126l. 1s. 5d. out of the duty granted by the act of 9 Ann. c. 22.

CAP. VI.

An act for relief of the wholesale traders and dealers in English bone-lace, by obviating several doubts in the several acts for licensing hawkers and pedlars.

WHEREAS by an act of parliament held in the eighth and ninth years of the reign of his late majesty King William the Third, intituled, An act for licensing hawkers and pedlars, for a provision of payment of the interest of the transport debt for the reducing of *Ireland*, it was enacted, That from and after the four and twentieth day of June one thousand six hundred and ninety-seven, until the five and twentieth day of June which should be in the year of our Lord one thousand six hundred and ninety-eight, there should be answered and paid to his Majesty, his heirs and successors, by every hawker, pedlar and petty chapman, or any other trading person or persons going from town to town, or to other mens houses, and travelling either on foot or with horse, horses or otherwise within the kingdom of England, dominion of Wales, or town of Berwick upon Tweed, (except as therein after is excepted) carrying to sell or exposing to sale any goods, wares or merchandizes, a duty of four pounds; and that every person so travelling with horse, ass or mule, or other beast bearing or drawing burden, should pay the sum of four pounds from the said four and twentieth day of June one thousand six hundred and ninety-seven to the five and twentieth day of June one thousand six hundred and ninety-eight for each horse, ass or mule, or other beast bearing or drawing burden, he or she should so travel with, over and above the said first-mentioned duty of four pounds; and should have or take such licence as by the said act is directed: and whereas it was therein further enacted, That if any such hawker, pedlar or petty chapman, from and after the said four and twentieth day of June one thousand six hundred and ninety-seven, should be found trading as aforesaid without or contrary to such licence, such person should for each and every such offence forfeit the sum of twelve pounds, the one moiety thereof to the informer, and the other moiety thereof to the poor of the parish wherein such offender should be discovered: and whereas the powers and provisions of the said act have

8 & 9 W. 3.
c. 25.

9 & 10 W. 3. *been; by another act made in the ninth and tenth years of his said Majesty, and by other subsequent acts, continued to this time: and whereas several of the makers and traders in English bone-lace, who trade by wholesale, and employ many thousands of poor people in the said manufacture of bone-lace, have been lately informed against, prosecuted and molested in the carrying on their trades, under pretence that they ought to take and have licences according to the directions and provisions of the act before-mentioned, or of some other acts touching hawkers and pedlars: be it enacted and declared by the King's*

No maker or wholesale trader in English bonelace shall be deemed a hawker, &c.

most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That no person, being a maker or wholesale trader in *English* bone-lace and selling the same by wholesale, shall be adjudged, deemed or taken to be a hawker, pedlar or petty chapman within the intent and meaning of the said acts, or of any or either of them; and that all and every such person or persons, his, her or their children, apprentices, servants or agents (selling by wholesale only) shall and may go from house to house, and from shop to shop, to any of their customers (who sell again by wholesale or retail) without being subject or liable to any of the penalties or forfeitures contained in any of the said acts touching hawkers, pedlars and petty chapmen; any thing in the said acts contained to the contrary thereof in any wise notwithstanding.

C A P. VII.

An act for making effectual an act made in the eighth year of the reign of the late Queen Anne, intituled, An act for employing the manufacturers, by encouraging the consumption of raw silk and mohair yarn.

8 Ann. c. 6.

WHEREAS by an act made in the eighth year of the reign of her late majesty Queen Anne, intituled, An act for employing the manufacturers, by encouraging the consumption of raw silk and mohair yarn, the said act having proved ineffectual to prevent the mischiefs intended to be remedied by the said act: for remedy whereof, and making the said recited act of parliament more effectual, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty-fifth day of *March* one thousand seven hundred and eighteen, no taylor, or other person or persons whatsoever, within the kingdom of *Great Britain*, shall make, sell, set on, use or bind, or shall cause to be made, sold, set on, used or bound, on any clothes or wearing garments whatsoever, any buttons or button-holes made of, or used or bound with cloth, serge, drugget, frize, camblet, or any stuffs that clothes or wearing garments are usually made of, upon the forfeiture of the sum of forty shillings for every dozen of such buttons and button-holes so made, sold, set on, used or bound, or shall cause to be made,

After March 25, 1718. no taylor, &c. shall make, sell, set on, &c. any buttons or button-holes made of cloth, serge, &c. on any clothes whatsoever, on penalty of 40s.

sold,

sold, set on, used or bound, as aforesaid, or in proportion for any per dozen.
 lesser quantity, every person or persons so offending, and being *By 7 Geo. 1.
 thereof lawfully convicted upon the oath of one or more credible* stat. 1. c. 12.
 witness or witnesses, shall forfeit, as aforesaid, to be recovered *f. 1. 40s. is
 laid on the
 wearer.*
 and distributed as is afterwards provided for by this act.

II. Provided, That nothing in this act contained, shall extend Not to extend
 tend or be construed to extend to any clothes or wearing garments made of velvet. to clothes
 made of velvet.

III. And be it enacted by the authority aforesaid, That any Persons dwell-
 person or persons inhabiting or being in any gaol or house of cor- ing in gaols,
 rection, or within the rules or liberties of any gaol or house of &c. offending
 correction, or shall inhabit or dwell in any privileged place, or against this
 within the liberties of the same, committing any offence or of- act, shall be
 fences against this act, he, she or they so offending, as aforesaid, subject to the
 and being lawfully convicted of the same, as is before directed penalties.
 by this act, he, she or they shall be subject to the forfeitures and
 penalties as in this act mentioned; any law, statute, custom or
 thing to the contrary in any wise notwithstanding.

IV. And be it enacted by the authority aforesaid, That all Prosecution in
 offences committed against this act, shall be prosecuted within three months.
 three months after the same is committed or discovered.

V. And be it enacted by the authority aforesaid, That all Offences to be
 offences against this act shall be heard and determined by one determined by
 or more of his Majesty's justice or justices of the peace of the justices of
 county, city, town or place where the same shall be discovered, peace.

or where such offender doth inhabit, such justice or justices being On oath of
 not concerned in the matter of the said complaint, upon the one witness.

oath of one or more credible witness or witnesses, which oath such justice or justices is and are hereby empowered and required
 to administer; and all and every the said penalties and forfeitures which shall happen by virtue of this act shall be distributed
 and paid, after the charges of such conviction being first deducted; one moiety to him or them who shall inform or prosecute
 for the same, the other moiety to the poor of the parish, township or place where the offence shall be discovered; and in
 case any offender shall neglect or refuse to pay any such penalties and forfeitures, being lawfully demanded, by the space of fourteen
 days next after conviction for such offence, as aforesaid, that
 then such justice or justices is and are hereby required to issue
 out one or more warrant or warrants under his or their hands
 and seals to the constable or constables of the parish, town or
 place where such offender doth inhabit, or can be found, to levy
 the same by distress and sale of the offender's goods, rendering
 the overplus (if any be) to the owner; and where no sufficient
 distress can be found, to commit the offender or offenders to the
 common gaol for the county, city, town or place where such
 offender shall be found, there to be kept to hard labour for and
 during the space of three calendar months.

One half of
 the penalty to
 the informer,
 the other to
 the poor.

To be levied
 by distress, if
 not paid in 14
 days after
 conviction.
 For want of
 distress, of-
 fenders to be
 committed for
 three months.

VI. Provided, That if any person or persons find him or themselves aggrieved by any order or warrant made by any justice or justices of the peace, upon any such conviction before
 him
 ons,

whose determination shall be final; and may allow costs.

Persons sued may plead the general issue, and shall recover treble costs.

Such clothes exposed to sale may be seized.

Tailors, &c. causing their apprentices, &c. to make clothes contrary to this act, shall be subject to the penalties.

To be taken as a publick act.

him or them, as aforesaid, such person or persons may appeal to the general quarter-sessions to be holden for the county, riding, city or corporation where such conviction shall be made, giving sufficient notice of such appeal; and the determination of such justices in such sessions shall be final; and the said justices shall allow such costs and charges to the party aggrieved as they shall think reasonable, to be levied and paid in such manner as is usual in other cases of appeals from the orders of any justices of the peace to the quarter-sessions.

VII. And be it enacted by the authority aforesaid, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons so sued or prosecuted, such person or persons may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuited, or forbear further prosecution, or suffer discontinuance, or a verdict pass against him, or judgment upon demurrer, the defendant or defendants shall recover his or their treble costs, for which he and they shall have like remedy, as in cases where costs by law are given to defendants.

VIII. And be it enacted by the authority aforesaid, That all clothes or wearing garments, which shall be made with buttons and button-holes of the same cloth, serge, drugget, frize, camblet or other stuffs, of which the said clothes or wearing garments are made, and shall be exposed to sale in any fair or market, or in any shop or warehouse, or in any dwelling-house or place whatsoever, the same shall be subject and liable to be forfeited and seized, and applied to the uses in this act mentioned, to be recovered as other forfeitures and penalties are by this act to be recovered.

IX. And be it enacted by the authority aforesaid, That if any taylor, or other person or persons, shall cause his or their apprentice or servants to make any clothes or wearing garments contrary to this act, that in such cases the said master-taylor, or such other person or persons which caused the said clothes or wearing garments to be so made, or shall be any ways entitled to the monies for making the said clothes or wearing garments, made as aforesaid, shall be subject to the forfeitures and penalties in this act mentioned, to be had and recovered, as other forfeitures and penalties are to be recovered by this act; any thing herein contained to the contrary notwithstanding: and this act shall be taken and allowed to be a publick act in all courts within this kingdom, and all judges and justices of the peace are hereby required to take notice thereof as such, without special pleading the same.

CAP. VIII.

An act for vesting the forfeited estates in Great Britain and Ireland in trustees, to be sold for the use of the publick; and for giving relief to lawful creditors, by determining the claims; and for the more effectual bringing into the respective Exchequers the rents and profits of the said estates till sold. E X P.

All honours, lordships, manors, &c. by 1 Geo. 1. stat. 2. c. 50. vested in his Majesty, for the use of the publick, shall be vested in the commissioners,

ers, &c. To be sold for the use of the publick. Commissioners to proceed in a summary way, and to determine every claim before them by 25 March 1719. Commissioners a court of record: their determinations final, except appeal within 20 days. Appellants must present their exceptions to the commissioners, to be entered in books, and a transcript transmitted to the court of delegates. His Majesty may appoint any five of the judges to be a court of delegates. Claims on real estates determined to be just; commissioners are to order the sheriffs to cause possession to be delivered to the claimants. After 25 March 1718. commissioners may sell the forfeited estates vested in them. Purchasers to be protestants. Sale to be by auction. Purchase-money to be paid into the Exchequer. Commissioners to execute an indenture of bargain and sale, to be enrolled in chancery, &c. Purchasers to hold the same for such estates and interests, as shall be conveyed of them, freed from all arrears of quit rent, &c. Crown lands in the hands of attainted persons, shall remain in the possession of the crown, &c. Explained by 5 Geo. 1. c. 22. sect. 12. Commissioners may summon sequestrators, who retain any part of the forfeited estates, &c. and in a summary way may enquire by witnesses, &c. and settle the sums payable by them on account of their intrusions, &c. In case of refusal may certify into the Exchequer. Tenants of attainted persons who have paid their rents to them before their attainders, and other accountants, discharged. Time for discovery enlarged till 25 March 1719. Creditors to be paid their claims in the first place. All monies received by grantees from his Majesty, shall be taken as so much received by such claimants in discharge of the estate so claimed, &c. His Majesty before 1 Aug. 1718. may make provision for wives of forfeiting persons. All convictions, &c. since 24 June 1715. and before 1 June 1716. not reversed, &c. before 24 June 1718. effectual. Each commissioner shall have 1000l. per annum. Salaries for clerks and incident charges shall be paid by the Exchequer, tax-free.

XXXII. Provided always, and it is hereby enacted, That of the nett monies, which shall arise by sale of the said estates and interests, or by the rent and profits thereof till sale, after allowance and satisfaction of all just and lawful claims thereupon, and after payment of such sums as by any clause or clauses in this or the said former act are authorized to be issued out for the salaries of the said commissioners and trustees, or for incident charges, or for rewards to discoverers, or any other clause touching which any special provision is made by this or the said former act, all the charges of prosecution relating to the said forfeited estates being discharged or re-imburshed, a sum not exceeding twenty thousand pounds shall be appropriated and applied towards the making a capital stock for a yearly interest or income out of the monies which shall arise by the sale of the said estates which lie in *Scotland*, and not otherwise, towards erecting and maintaining schools in the highlands of *Scotland*, according to such ways and methods, and in such manner, as by any future act or acts of parliament to be made and passed for that purpose, shall be directed and appointed; and all and every the other monies which shall arise by the said sale, and rents and profits aforesaid, are and shall be appropriated and applied towards the discharge of the publick debts of the nation.

20,000l. appropriated for erecting schools in the highlands of Scotland,

and the remainder for discharging the publick debts.

Proviso for the claimants on an annuity of 5000l. per annum in Ireland, granted to the late duke of Ormond. Former grants by his Majesty, good. Proviso for Simon lord Lovat. Proviso for Amelia lady Lovat. Houses, &c. burnt in Scotland or Preston shall be made good. Proviso for the children of John Balfour, Henry Balfour, John Castairs, Patrick Seaton,

and

and Robert Rollo. Time enlarged for entering claims to 1 June 1718. Children of forfeiting persons, to whom grants are made, shall be educated in the protestant religion.

CAP. IX.

An act to appoint commissioners to take, examine, state and determine the debts due to the army; and to examine and state the demands of several foreign princes and states for subsidies during the late war. EXP.

CAP. X.

An act for making the dividend of subscribed lottery annuities, and other annuities established by several acts of parliament payable half-yearly at the bank of England.

§ Geo. 1. c. 7. **W**HEREAS in and by an act of parliament made and passed in the third year of his present Majesty's reign, intituled, An act for redeeming the duties and revenues which were settled to pay off principal and interest on the orders made forth on four lottery-acts passed in the ninth and tenth years of her late Majesty's reign; and for redeeming certain annuities payable on orders out of the hereditary excise, according to a former act in that behalf; and for establishing a general yearly fund, not only for the future payment of annuities, at several rates, to be payable and transferrable at the bank of England, and redeemable by parliament; but also to raise monies for such proprietors of the said orders, as shall choose to be paid their principal and arrears of interest in ready money; and for making good such other deficiencies and payments as in this act are mentioned; and for taking off the duties on linseed imported, and British linen exported, it is amongst other things enacted, That all the annuities at several rates charged upon and payable out of the monies of the general fund of seven hundred twenty four thousand eight hundred forty nine pounds six shillings and ten pence and one fifth part of a penny per annum, by the said act established or intended to be established, should be paid and payable by quarterly payments, at the four most usual feasts in the year (that is to say) the feasts of the birth of our Lord Christ, the annunciation of the Blessed Virgin Mary, the nativity of St. John the Baptist, and St. Michael the Archangel, by even and equal portions, or within six days after every of the said feast-days for ever, or until redemption or redemptions thereof shall be made, according to the provisos contained in the said act: and whereas the proprietors in the said several annuities made payable by the said act, do consist of many thousand persons; and it is found by experience, That the adjusting and stating the accounts of the said proprietors, in order to the making a dividend every quarter of a year, as the said act directs, doth take up so much time, that the transfer-books must of necessity be kept shut up for a long while together, to the great inconvenience and detriment of the said proprietors: for remedy whereof for the future, be it enacted, &c.

Redeemed § Geo. 1. c. 3. sect. 2. After Christmas 1717. the annuities made payable by the recited act, shall be paid out of the general fund by that act established, by half-yearly payments.

§ Geo. 1. c. 17. **II.** And whereas in and by an act of parliament made and passed in the said third year of his Majesty's reign, intituled, An act to enable

enable his Majesty to appoint commissioners to take, examine, state and determine the debts due to the army, the commissioners appointed by his Majesty in pursuance thereof, or any four or more of them, were and are authorized to take, state and determine such accounts, claims and demands, as are therein mentioned, and after such determinations respectively, to certify the same to the respective paymasters therein mentioned, and to whom the same were or are respectively due; and the said paymaster or paymasters respectively were and are thereby directed and required to make out debentures to the officers, engineers, gunners and other persons to whom the monies so certified to be due should respectively belong, in the manner and form by that act prescribed: and it was thereby enacted, That the said debentures should carry an interest after the rate of four pounds per centum per annum, to commence from the twenty fourth day of June one thousand seven hundred and seventeen, and to be paid and payable quarterly, according to some other act or acts of that session of parliament in that behalf: and whereas it is conceived, that the said interest after the rate of four pounds per centum per annum, due and to grow due upon the debentures made forth, or to be made forth by virtue of the said former act, or any other act or acts of parliament in that behalf, may with more ease to the proprietors thereof, be satisfied half-yearly, as annuities after the same rate, by the cashier for the time being of the governor and company of the bank of England; and that the payments thereof may be accounted for in the manner and form by this and the said first act above-recited prescribed, for, touching or concerning the several annuities thereby made payable by such cashier: be it therefore further enacted, &c.

So much of the said general fund as shall be sufficient to answer the interest on the debentures made out by virtue of the act 3 Geo. 1. c. 7. shall be issued half-yearly to the cashier of the bank, who shall apply the same accordingly: accountant general of the bank to inspect the payments. Paymasters to certify to the said cashier and accountant what debentures have been made forth; who shall enter the same in books, and give certificates gratis to the proprietors, who after June 24, 1717, shall be intitled to the said interest at 4l. per centum. Annuities to be personal estates and be deemed capital stock, and transferrable or deviseable. So much of the general fund as will satisfy the said annuities, shall be issued half-yearly to the cashier of the bank. Annuities subject to redemption. Re-deemed 5 Geo. 1. c. 3.

C A P. XI.

An act for the further preventing robbery, burglary, and other felonies, and for the more effectual transportations of felons, and unlawful exporters of wool; and for declaring the laws upon some points relating to pirates.

WHEREAS it is found by experience, That the punishments inflicted by the laws now in force against the offences of robbery, larceny and other felonious taking and stealing of money and goods, have not proved effectual to deter wicked and evil-disposed persons from being guilty of the said crimes: and whereas many offenders to whom royal mercy hath been extended, upon condition of transporting themselves to the West-Indies, have often neglected to perform the said

This act is enforced,

6 Geo. 1. c. 23.

said condition, but returned to their former wickedness, and been as last for new crimes brought to a shameful and ignominious death: and whereas in many of his Majesty's colonies and plantations in America, there is great want of servants, who by their labour and industry might be the means of improving and making the said colonies and plantations more useful to this nation: be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and the commons, in this present parliament assembled, and by the authority of the same, That

Persons who before the 10th of Jan. 1717, have been convicted of offences within the benefit of clergy; and also such as shall hereafter be convicted,

except receivers and buyers of stolen goods,

shall be sent to the plantations for 7 years.

The court before whom convicted to contract for their transportation.

Persons convicted of offences, for which they are excluded the benefit of clergy,

and also receivers and buyers of stolen goods may be transported for 14 years;

where any person or persons have been convicted of any offence within the benefit of clergy, before the twentieth day of *January* one thousand seven hundred and seventeen, and are liable to be whipt or burnt in the hand, or have been ordered to any work-house, and who shall be therein on the said twentieth day of *January*; as also where any person or persons shall be hereafter convicted of grand or petit larceny, or any felonious stealing or taking of money or goods and chattels, either from the person, or the house of any other, or in any other manner, and who by the law shall be entitled to the benefit of clergy, and liable only to the penalties of burning in the hand or whipping, (except persons convicted for receiving or buying stolen goods, knowing them to be stolen) it shall and may be lawful for the court before whom they were convicted, or any court held at the same place with the like authority, if they think fit, instead of ordering any such offenders to be burnt in the hand or whipt, to order and direct, That such offenders, as also such offenders in any work-house, as aforesaid, shall be sent as soon as conveniently may be, to some of his Majesty's colonies and plantations in *America* for the space of seven years; and that court before whom they were convicted, or any subsequent court held at the same place, with like authority as the former, shall have power to convey, transfer and make over such offenders, by order of court, to the use of any person or persons who shall contract for the performance of such transportation, to him or them, and his and their assigns, for such term of seven years; and where any persons have been convicted, or do now stand attainted of any offences whatsoever, for which death by law ought to be inflicted, or where any offenders shall hereafter be convicted of any crimes whatsoever, for which they are by law to be excluded the benefit of clergy, and his Majesty, his heirs or successors, shall be graciously pleased to extend royal mercy to any such offenders, upon the condition of transportation to any part of *America*, and such intention of mercy be signified by one of his Majesty's principal secretaries of state, it shall and may be lawful to and for any court having proper authority, to allow such offenders the benefit of a pardon under the great seal, and to order and direct the like transfer and conveyance to any person or persons, (who will contract for the performance of such transportation) and to his and their assigns, of any such before-mentioned offenders, as also of any person or persons convicted of receiving or buying stolen goods, knowing them to be stolen, for the term of fourteen years, in case such condition of trans-

portation be general, or else for such other term or terms as shall be made part of such condition, if any particular time be specified by his Majesty, his heirs and successors, as aforesaid; and such person or persons so contracting, as aforesaid, his or their assigns, by virtue of such order of transfer, as aforesaid, shall have a property and interest in the service of such offenders for such terms of years.

and the persons contracting for their transportation, shall have a property in their service.

II. And be it further enacted by the authority aforesaid, That if any offender or offenders, so ordered by any such court to be transported for any term of seven years or fourteen years, or other time or times, as aforesaid, shall return into any part of *Great Britain* or *Ireland* before the end of his or their said term, he or she so returning, as aforesaid, shall be liable to be punished as any person attainted of felony without the benefit of clergy; and execution may and shall be awarded against such offender or offenders accordingly: provided nevertheless, That his Majesty, his heirs and successors, may pardon and dispense with any such transportation, and allow of the return of any such offender or offenders from *America*, he or they paying their owner or proprietor, at the time of such pardon, dispensation or allowance, such sum of money as shall be adjudged reasonable by any two justices of the peace residing within the province where such owner dwells; and where any such offenders shall be transported, and shall have served their respective terms, according to the order of any such court, as aforesaid, such services shall have the effect of a pardon to all intents and purposes, as for that crime or crimes for which they were so transported, and shall have so served, as aforesaid.

Returning before the expiration of the term, shall be punished with death.

The King may pardon such transportation, the offender paying his owner such sum as two justices shall adjudge.

Service of the term shall have the effect of a pardon.

III. And be it further enacted by the authority aforesaid, That every such person or persons to whom any such court shall order any such offenders to be transferred or conveyed, as aforesaid, before any of them shall be delivered over to such person or persons, or his or their assigns, to be transported, as aforesaid, he or they shall contract and agree with such person or persons as shall be ordered and appointed by such court, as aforesaid, and give sufficient security to the satisfaction of such court, that he or they will transport, or cause to be transported effectually such offenders so conveyed to him or them, as aforesaid, to some of his Majesty's colonies and plantations in *America*, as shall be ordered by the said court, and procure an authentick certificate from the governor, or the chief custom-house officer of the place (which certificate they are hereby required to give forthwith, without fee or reward, as soon as conveniently may be) of the landing of such offenders so transferred, as aforesaid, in that place whereto they shall be ordered, (death and casualties of the sea excepted) and that none of the said offenders shall be suffered to return from the said place to any part of *Great Britain* or *Ireland* by the wilful default of such person or persons so contracting as aforesaid, or by the wilful default of his or their assigns.

Contractors to give security for the transportation of such offenders;

and procure certificates from the governor, &c.

where landed, and that they shall not be suffered to return by his default.

IV. And whereas there are several persons who have secret acquaintance with felons, and who make it their business to help persons

Person taking rewards for helping to stolen goods;

unless they
cause the felon
to be brought
to trial, shall
be guilty of
felony.

to their stolen goods, and by that means gain money from them, which is divided between them and the felons, whereby they greatly encourage such offenders: be it enacted by the authority aforesaid, That where-ever any person taketh money or reward, directly or indirectly, under pretence or upon account of helping any person or persons to any stolen goods or chattels, every such person so taking money or reward, as aforesaid, (unless such person doth apprehend, or cause to be apprehended, such felon who stole the same, and cause such felon to be brought to his trial for the same, and give evidence against him) shall be guilty of felony, and suffer the pains and penalties of felony, according to the nature of the felony committed in stealing such goods, and in such and the same manner as if such offender had himself stolen such goods and chattels, in the manner, and with such circumstances as the same were stolen.

Merchants, or
others, may
contract with
persons of the
age of 15, and
under 21, to
serve them in
America for 8
years.

Provided such
person ac-
knowledge his
consent before
a justice of
peace,

and sign the
same with his
approbation.

Such contract,
&c. to be cer-
tified to the
quarter-sessi-
ons.

After Jan. 20,
1717, persons
imprisoned for
exportation of
wool, &c. re-

V. And whereas there are many idle persons, who are under the age of one and twenty years; lurking about in divers parts of London, and elsewhere, who want employment, and may be tempted to become thieves, if not provided for: and whereas they may be inclined to be transported, and to enter into services in some of his Majesty's colonies and plantations in America; but as they have no power to contract for themselves, and therefore that it is not safe for merchants to transport, or take them into such services; be it enacted by the authority aforesaid, That where any person of the age of fifteen years or more, and under the age of twenty one, shall be willing to be transported, and to enter into any service in any of his Majesty's colonies or plantations in America, it shall and may be lawful for any merchant, or other, to contract with any such person for any such service, not exceeding the term of eight years; provided such person so binding him or herself do come before the lord mayor of London, or some other justice of the peace of the city, if such contract be made within the same, or the liberties thereof, or before some other two justices of the peace of the place where such contract shall be made, if made elsewhere, and before such magistrate or magistrates acknowledge such consent, and do sign such contract in his or their presence, and with his or their approbation; and that then it shall be lawful for any such merchant or other, to transport such person so binding him or herself, and to keep him or her within any of the said plantations or colonies, according to the tenor of such contract, as aforesaid; any law or statute to the contrary in any wise notwithstanding; which said contract and approbation of such magistrate or magistrates, with the tenor of such contract, shall be certified by such magistrate or magistrates to the next general quarter-sessions, of the peace, held for that county where such magistrate or magistrates shall reside, to be registered by the clerk of the peace without fee or reward.

VI. And be it further enacted by the authority aforesaid, That from and after the said twentieth day of January one thousand seven hundred and seventeen, if any person or persons shall be in prison for want of sufficient bail, for unlawful exportation of wool

wool or wool-fells, and shall refuse to appear or plead to a declaration or information to be delivered to such person or persons, or to the gaoler, keeper or turnkey of the prison, at the said prison, for the said offence, by the space of one term, judgment shall be entred against him by default; and in case judgment shall be obtained against any such person or persons by default, verdict, or otherwise, and such person or persons shall not pay the sum recovered against him or them for the said offence, within the space of three months after entring up of such judgment, the court before whom such judgment shall be obtained shall, by order of court, cause such offender or offenders to be transported, in the same manner as felons aforesaid, for the term of seven years; and if such offender or offenders shall return into *Great Britain* or *Ireland*, before the expiration of the said seven years, he or they shall suffer as felons, and have execution awarded against them, as persons attainted of felony, without benefit of clergy.

fusing to plead, judgment shall be entred against them by default; and not paying the sum recovered, shall be transported as felons,

and returning, shall suffer as such.

VII. And it is hereby declared, That all and every person and persons who have committed or shall commit any offence or offences, for which they ought to be adjudged, deemed and taken to be pirates, felons or robbers, by an act made in the parliament holden in the eleventh and twelfth years of the reign of his late majesty King *William* the Third, intituled, *An act for the more effectual suppression of piracy*, may be tried and judged for every such offence in such manner and form as in and by an act made in the twenty eighth year of the reign of King *Henry* the Eighth is directed and appointed for the trial of pirates, and shall and ought to be utterly debarred and excluded from the benefit of clergy for the said offences; any law or statute to the contrary thereof in any wise notwithstanding.

Offenders against the act 11 & 12. W. 3. c. 7. may be tried as is directed by 28 Hen. 8. c. 15.

and excluded from clergy.

VIII. Provided always, That nothing in this act contained shall extend or be construed to extend to such persons as shall be convicted or attainted in that part of *Great Britain* called *Scotland*.

This act shall not extend to Scotland.

IX. And be it also enacted, That this act shall extend to all his Majesty's dominions in *America*, and shall be taken as a publick act.

But to all the King's dominions in *America*, and be taken as a publick act.

CAP. XII.

An act for enforcing and making perpetual an act of the twelfth year of her late Majesty, intituled, An act for the preserving of all such ships and goods thereof, which shall happen to be forced on shore, or stranded upon the coasts of this kingdom, or any other of her Majesty's dominions; and for inflicting the punishment of death on such as shall wilfully burn or destroy ships.

WHEREAS the act made in the twelfth year of the reign of her late majesty *Queen Anne*, intituled, *An act for the preserving of all such ships and goods thereof, which shall happen to be forced on shore, or stranded upon the coasts of this king-*

12 Ann stat. 2. c. 18.

kingdom, or any other of her Majesty's dominions, *will expire at the end of this present session of parliament, unless the same be continued: and whereas the said act hath been found by experience to be of great use and benefit to the seafaring men and merchants of this kingdom, and other his Majesty's dominions:* be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That the said recited act, intituled, *An act for the preserving of all such ships and goods thereof, which shall happen to be forced on shore, or stranded upon the coasts of this kingdom, or any other of her Majesty's dominions, and all the clauses, matters and things therein contained, shall be and is hereby declared to be made perpetual.*

The recited act made perpetual. 12 Ann. stat. 2. c. 18.

The said act shall not extend to the admiralty court of the cinque ports.

After June 24 1718, any owner, captain, &c. wilfully destroying any ship to prejudice the insurers, shall suffer death. By 11 Geo. 1. c. 29. sect. 6. *This clause is explained, and the offenders ousted of clergy.*

II. Provided always, and it is hereby further enacted, That the said act, or any thing therein contained, shall not be construed to extend to, or any ways affect the ancient jurisdiction and usage of the admiralty-court of the cinque-ports, or the officers thereto belonging; but the proper officers of the said admiralty-court shall be and are hereby authorized and impowered to put the said act in execution within the jurisdiction of the said cinque-ports, in as full and ample manner, to all intents and purposes, as any other person or persons are by the said act appointed to do in any other parts of this kingdom.

III. And for the effectual preventing the wilful casting away, burning, or otherwise destroying of ships by the owners, masters and mariners thereof, and thereto belonging; be it enacted by the authority, That if any owner of, or captain, master, mariner, or other officer belonging to any ship shall, after the twenty fourth day of *June* which shall be in the year of our Lord one thousand seven hundred and eighteen, wilfully cast away, burn or otherwise destroy the ship of which he is owner, or unto which he belongeth, or in any manner of wise direct or procure the same to be done, to the prejudice of any person or persons that shall underwrite any policy or policies of insurance thereon, or of any merchant or merchants that shall load goods thereon, he shall suffer death.

C A P. XIII.

An act for enlarging the term of years granted by the acts of the eleventh and twelfth years of King *William* the Third, and second and third years of Queen *Anne*, for the repair of *Dover* harbour.

The acts 11 & 12 W. 3. c. 5. and 2 & 3 Ann. c. 7. for repair of *Dover* harbour, continued from May 1, 1718. to May, 1, 1727. *Further continued by 11 Geo. 2. c. 7.*

C A P. XIV.

An act to impower the commissioners appointed to put in execution the acts of the ninth and tenth years of her late Majesty's reign, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, to direct the parish church of St. Giles in the Fields in the county of Middlesex to be rebuilt, instead of one of the said fifty new churches.

The commissioners appointed in pursuance of 9 Ann. c. 21. and 10 Ann. c. 11. may cause the church of St. Giles in the Fields to be rebuilt.



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